

MISSOURI
AIR CONSERVATION COMMISSION
BRIEFING DOCUMENT

July 20, 2006



**MISSOURI DEPARTMENT
OF NATURAL RESOURCES**

Division of Environmental Quality

Air Pollution Control Program

NOTICE OF OPEN MEETING

Persons with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling the Air Pollution Control Program directly at (573) 751-4817, or by calling the division's toll-free number at 1-800-361-4827. Hearing impaired persons may contact the program through Relay Missouri, 1-800-735-2966. Please visit our web site at www.dnr.mo.gov.

AGENDA
Missouri Air Conservation Commission Meeting
Crowne Plaza – St. Louis Airport
Gateway III
11228 Lone Eagle Drive
St. Louis, MO 63044
July 20, 2006
9:00 a.m.

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A. Call to Order		Jack Baker
B. Minutes from June 29, 2006 (Approval Requested)	1	Jack Baker
C. Reports - (discussion)		
1. Complaint Report	17	Steve Feeler
2. Settlement Report	53	Steve Feeler
3. Permit Reports	59	Kyra Moore
4. Operations Report	81	David Lamb
5. Director's Report		Jim Kavanaugh

D. Unfinished Business

None.

E. Public Hearing

10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources 85 Paul Myers

The purpose of this rule is to protect the air quality in the St. Louis area by addressing Nitrogen Oxides(NO_x) sources proposed for construction outside and upwind of the St. Louis ozone nonattainment area. The rule limits NO_x emissions of sources around the St. Louis ozone nonattainment area to what the department considers an acceptable level, while providing a more transparent and predictable regulatory process for sources seeking permits.

10 CSR 10-6.070 New Source Performance Regulations 97 Paul McConnell

This amendment incorporates by reference 40 CFR part 60 subparts amended between January 1, 2003 and June 30, 2004. This amendment updates three previously adopted subparts. These changes will be explained in greater detail during the public hearing. Additionally, titles of all subparts have been updated to reflect the federal titles and a reference note has been added regarding operating permit requirements that also may be applicable.

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 103 Paul McConnell

This amendment incorporates by reference eighteen new 40 CFR part 63 subparts finalized between January 1, 2003 and June 30, 2004. These subparts pertain to Polyvinyl Chloride and Copolymers Production; Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations; Organic Liquids Distribution (Non-Gasoline); Miscellaneous Organic Chemical Manufacturing; Surface Coating of Automobiles and Light-Duty Trucks; Surface Coating of Metal Cans; Surface Coating of Miscellaneous Metal Parts and Products; Surface Coating of Plastic Parts and Products; Stationary Combustion Turbines; Stationary Reciprocating Internal Combustion Engines; Lime Manufacturing Plants; Iron and Steel Foundries; Site Remediation; Miscellaneous Coating Manufacturing; Mercury Emissions From Mercury Cell Chlor-Alkali Plants; Taconite Iron Ore Processing; Refractory Products Manufacturing; and Primary Magnesium Refining.

This amendment also updates four previously adopted subparts. These changes will be explained in greater detail during the public hearing. Finally, the subpart for Asphalt Processing and Roofing Manufacturing has been corrected.

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants 111 Paul McConnell

This amendment updates two 40 CFR part 61 subparts finalized between January 1, 2003 and June 30, 2004 previously adopted by reference. These amendments will be explained in greater detail during the public hearing. In addition, a reference note has been added regarding operating permit requirements that also may be applicable.

Annual Budget/Fiscal Report 115 Carolyn Kliethermes

Air Pollution Control Program Administration's presentation on the projection of revenues and expenditures.

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information 141 Ron Jeffries

This proposed amendment will establish the emission fee for Missouri facilities as required annually by 643.070 and 643.079, RSMo. The air emission fee for calendar year 2006 is proposed to remain at \$34.50 per ton of regulated air pollutant. This proposed amendment will also change April 1 due dates for emission fees and emission inventory questionnaires for April 1 Standard Industrial Classifications to June 1 so all Classifications have the same due date and change the emission calendar year from 2005 to 2006.

F. Recommended for Adoption and Actions to be Voted on

10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning 155 Ron Jeffries

This rule specifies equipment, operating procedures, and training requirements for the reduction of volatile organic compound emissions from solvent metal cleaning operations in the St. Louis metropolitan area. This proposed rule amendment addresses industry concerns about provisions in the current rule related to enforcement and compliance.

G. New Business

Attorney General's Office Referrals (Approval Requested) Steve Feeler

Marble Décor, Incorporated 191

Necessity Findings (Approval Requested) Wayne Graf

H. Appeals and Variance Requests

None

I. Open Session

This segment of the meeting affords citizens an opportunity to voice concerns to the commission on air quality issues. Please be advised, comments on specific rulemakings need to be provided as testimony, under oath, during the formal process of the public hearing for that rulemaking.

J. Future Meeting Dates (No Action Needed)

August 31, 2006 – Jefferson City

Governor Office Building

Room 450

200 Madison Street

Jefferson City, MO 65101

September 28, 2006 – Kansas City

Holiday Inn - Sports Complex

1-816-353-5300

1st Base

4011 Blue Ridge Cutoff

Kansas City, MO 64133

October 26, 2006 – Jefferson City

Elm Street Conference Center

1738 East Elm Street

Lower Level

Roaring River Conference Room

Jefferson City, MO 65101

December 7, 2006 – Jefferson City

Elm Street Conference Center

1738 East Elm Street

Lower Level

Roaring River Conference Room

Jefferson City, MO 65101

K. Discussion of Pending Litigation and Legal Matters

Tim Duggan

(This portion of the meeting may be closed, pursuant to Section 610.021 (1), RSMo, after a vote by the Commission.)

L. Meeting Adjournment

Jack Baker

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MINUTES
MISSOURI AIR CONSERVATION COMMISSION
Governor Office Building
Room 450
200 Madison Street
Jefferson City, MO 65101
June 29, 2006
9:00 a.m.

Commissioners Present

Mark A. Fohey, Member
Michael Foresman, Vice-Chairman
Mark S. Garnett, Member
Kevin L. Rosenbohm, Member

Commissioners Absent

Jack Baker, Chairman

Staff Members Present

Rick Campbell, Permits Section, Air Pollution Control Program (APCP)
Hillary Clark, Inspection and Maintenance (I/M) Team, APCP
Steve Feeler, Compliance/Enforcement Section Chief, APCP
Dave Freeman, Operations Section, APCP
David Gilmore, Commission Secretary, APCP
Haskins Hobson, I/M Team Coordinator, APCP
Ron Jeffries, Operations Section, APCP
Jim Kavanaugh, Director, APCP
David Lamb, Operations Section Chief, APCP
Kyra Moore, Permits Section Chief, APCP
Missy Seeligman, Program Secretary, APCP
Gus Ralston, Kansas City Regional Office

Others Present by Attendance Record

Amy Algoe-Eakin, Environmental Protection Agency (EPA) Region VII
Alan Banwart, EPA Region VII
Kristy Boehler, Missouri Farm Bureau
Robert Brundage, Newman, Comley and Ruth, P.C.
Tim Duggan, Attorney General's Office
Sue Ehrhardt, St. Louis County Air Pollution Control
Todd Galbierz, ESP Missouri
Dan Haas, Kansas City Power and Light
N. Miller, Washington University Interdisciplinary Environmental Law Clinic (IELC)
Douglas Neidigh, Springfield Air Quality Control
Aveen Noori, Kansas City Health Department, Air Quality Office

Gary Pendergrass, City Utilities of Springfield
Kevin Perry, The Forrester Group
Norb Plassmeyer, Osage Solutions, LLC
Catherine Reid, Kansas City Health Department, Air Quality Office
Mark Reppond, Safety Kleen
Shaen Rooney, The Empire District Electric Company
Eric Ryszkiewicz, Washington University IELC
Chris Schreiber, Schreiber Engineering
David Shanks, Boeing
Andrew Simmons, Washington University IELC
Andrea Strickland, Barr Engineering Company
Roger Walker, REGFORM

A. Call to Order

Vice-Chairman Mike Foresman called the June 29, 2006, meeting of the Missouri Air Conservation Commission to order. The following commissioners were present: Mark Fohey, Mike Foresman, Mark Garnett and Kevin Rosenbohm.

B. Minutes from May 25, 2006 Meeting

Commissioner Mark Garnett moved to approve May 25, 2006 minutes as written. Commissioner Kevin Rosenbohm seconded the motion, and all commissioners voted to approve the minutes.

C. Reports - The following referenced reports are in the May 25, 2006, Missouri Air Conservation Commission Briefing Document.

1) COMPLIANCE/ENFORCEMENT

Mr. Feeler stated the Complaint Report begins on Page 13 with the second half of March followed by the entire month of April. Once the bugs are worked out of the reporting process, the commission will see the last half of one month and the first half of the next month in the briefing document. It was a struggle each month to get everything compiled and into the briefing document by the day it went to printing. The reporting period was changed to facilitate the process. There is a month and a half of complaints currently listed in the briefing document. It is hoped that by the next month everything will be caught up and reported to the commission.

Vice-Chairman Foresman noted that there continues to be Open Burning complaints for this time of year.

Mr. Feeler stated that the majority of the complaints are either related to Open Burning or odor.

Commissioner Fohey stated that there appeared to be a lot of complaints about RES.

Mr. Feeler said the program is still receiving a few complaints. It is believed that most of those complaints are attributable to the trucks that are coming in and out of the facility. A dramatic improvement has been seen. Even the people that are complaining are saying it has dramatically improved from what it was, but they are still getting some odors. The inspectors are saying they believe it's more of a transportation issue and the department is going to be working with ConAgra and RES on those transportation issues.

Commissioner Fohey said that he wondered because a lot of those names are different and some of the others seem like the same person complaining multiple times.

The Settlement Report begins on Page 73 of the briefing document. Approximately 100 cases have been resolved this year for penalties in the amount of \$250,000 paid. A little more than that amount was suspended penalties. A number of violations continue to be received and the staff is very busy trying to resolve those violations.

Vice-Chairman Foresman said that it looks like the Pending Cases load was dropping off a little bit.

Mr. Feeler replied that to some degree it was dropping off.

2) PERMITS

Ms. Kyra Moore referred the commission to the Permit Reports beginning on Page 79. In the month of May, the program received 36 construction permit projects and 32 operating permit projects.

Ms. Moore said the Permit Section has received a major air permit application for Bootheel Agri-Energy, which is proposing to construct an ethanol plant in Sikeston. With the ethanol legislation that was passed, the Permit Section is starting to see more and more ethanol plants coming in to talk to about air permitting. Due to the increased interest in ethanol permitting, the Permit Section hopes to include a report on ethanol plants in Missouri in the next briefing document. The report will detail which ethanol plants have received a permit, their current status and if they are operating or are under construction. The report will also detail any applications in process and any pre-application meeting details that are available.

The program has issued permits to seven ethanol plants in Missouri. Three of these plants are operating. One plant is under construction and the others have their permits, but haven't started construction.

Commissioner Garnett inquired where the ethanol plants were located.

Ms. Moore stated the three plants operating are Northeast Missouri Grain in Macon, Golden Triangle in Craig and Mid-Missouri Energy is in Malta Bend. Missouri Ethanol, a plant that received its permit last fall, is under construction in Laddonia.

Vice-Chairman Foresman inquired if all of the permits were clear and consistent.

Ms. Moore stated several years ago that the program participated in a permitting workgroup with EPA Region V and EPA Region VII regarding ethanol plants. This workgroup came about when the State of Minnesota discovered that the ethanol plants were emitting more than anticipated or reported. The states in EPA Region V and EPA Region VII, which is where most of the ethanol plants are located, got together and came to a consensus on how to permit and test these facilities. The program worked very closely with EPA and the surrounding states on this issue. The program's permits are consistent in the state and with the surrounding states.

The Permit Applications Completed Report begins on Page 89. In May, the program completed 53 construction permit projects and 36 operating permit projects.

Ms. Moore referred the commission to the Operating Permit Progress Report beginning on Page 101. There are currently 25 operating permits on public notice: six Acid Rain permits; eight Intermediate permits; and 11 Part 70 permits. The reason why there are so many permits on public notice is the Operating Permit Unit and the clerical assisting that unit are finally fully staffed. Those who are interested may review those permits on the program's Web site at <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm>.

The Continental Cement Company (Continental) in Hannibal has a permit application in for an expansion of their kiln. The comment period closed on June 6, 2006. As the regulations state, a public hearing is only held if one is requested. Unfortunately, there was a little miscommunication with the citizens of Hannibal. The local newspaper published an article about the public hearing stating the hearing was scheduled to occur. The program did not realize that until the day of the public hearing and until after the hearing had been canceled. A public hearing was not held. However, Ms. Moore said she spoke with a few of the citizens and an extension was granted to offer written comments. Most of the

comments and concerns revolve around a quarry Continental is proposing to use, 10 miles away from their plant, until their underground mine becomes operational. A lot of the citizens are concerned about the truck traffic. It is an old quarry that has not been operating so they are concerned about that as well. The Permit Section is working on the draft permit and the response to comments. The final permit and response to comments will most likely be issued within the next week. Unfortunately, the program does not have the authority to act on a lot of the citizens' concerns, like the truck traffic on the roads. However, Continental has worked with the program and the citizens to put them in contact with the Department of Transportation to try and alleviate some of their concerns.

Vice-Chairman Foresman inquired how long of a period Continental will operate that quarry.

Ms. Moore replied that they estimate probably three to five years. As soon as Continental gets the mine constructed, it is a 350-foot mine, they can start getting the rock out of the mine. However, that could take several years.

As the commission is aware, a permit was issued to City Utilities of Springfield (City Utilities) a couple of years ago for a coal-fired boiler. That permit is under appeal and the program is working through the permit appeal process. However, City Utilities passed their bond issue financing the plant on June 6, 2006 and with that bond issue they are starting construction of that plant.

3) OPERATIONS

Mr. David Lamb referred the commission to the three Operations reports beginning on Page 103 with the Rules and State Implementation Plan (SIP) Agenda.

Mr. Lamb noted that there was one item for public hearing. That item was 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning. This rule addresses the use of nonaqueous solvents in the St. Louis Metropolitan area. He indicated that Ron Jeffries would be presenting that rule during the public hearing.

Mr. Lamb then referred to the Rule and SIP agenda on Page 105 for a list of action items to occur at the July 20, 2006 commission meeting. There will be five items for public hearing at that meeting: 10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources; 10 CSR 10-6.070 New Source Performance Regulations; 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations; 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants; and 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information will be the items. The adoption item for the next commission meeting will be the same as for today's

public hearing, 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning.

Vice-Chairman inquired if the Emissions Fee Rule would be discussed with the Air Program Advisory Forum (Forum) later today.

Mr. Lamb replied that Carolyn Kliethermes would be giving a presentation to the Forum later this afternoon as well at the July 20, 2006 commission meeting in St. Louis.

Vice-Chairman Foresman inquired if the draft of that rule was available on the Web.

Mr. Lamb replied that it could be found on the Web at the following address:
<http://www.dnr.mo.gov/env/apcp/docs/apcpfeepres2006.pdf>.

Mr. Lamb then directed the commissioners to the Rules and Progress Schedule beginning on Page 127 and the Air Quality Status Report beginning on Page 129. He noted that there has not been a lot of activity on the Rules and Progress schedule as there have not been any new rules filed in the past month. However, there are a few things of note. 10 CSR 10-5.510 Control of Emissions of Nitrogen Oxides has become effective as of May 30, 2006. Also, while it is not on the Rules and Progress schedule, due to the briefing document deadline, the Clean Air Interstate Rule (CAIR) and the Clean Air Mercury Rule have gone out for the interagency review and have also been placed on the Web for the 60-day comment period. Rick Campbell will be giving an update on the rules.

Regarding the State Air Quality Plans Status Report, Mr. Lamb pointed out that the 2002 Base Year Emission Inventory for the Missouri Portion of the St. Louis 8-Hour Ozone Nonattainment Area has been submitted to EPA. The deadline for the submittal of that document was met.

On June 5, 2006 the EPA published in the Federal Register that their proposal to approve the nitrogen oxides (NO_x) transport plan for the eastern one third of the state as a SIP revision, once that is approved it will fulfill our NO_x SIP Call requirements. EPA is currently accepting comments on that proposal until July 5, 2006.

The Kansas City Maintenance Plan. At the last Mid America Regional Council Air Quality Forum Meeting, staff were presented a progress report on this plan. Most of the discussion of that was around the contingency measures that we're considering for the area. We also discussed some of the potential contingency measures that were excluded. The next step in that process will be to develop some stakeholder groups to work through those measures and try to get those

implemented. We are currently trying to look at setting up these workgroups for the first part of August.

Mr. Lamb next updated the commission on the Herculaneum Lead Plan. On June 22, 2006 staff hosted a public meeting in Herculaneum to discuss the SIP revisions that are under development. About a dozen residents and concerned citizens attended the meeting. The staff that attended the meeting presented information about the SIP and the timeframes involved. The attendees were also given a chance to ask questions about the SIP Plan and the department's plan to move forward on that.

On June 27, 2006 the EPA published in the Federal Register that they are approving our SIP submission for the Construction Permits Required Rule, which incorporates by reference the Federal New Source Review Reforms. That notice indicated the action will be effective on July 27, 2006.

4) DIRECTOR'S REPORT

a) Ozone Monitoring Season

Mr. Kavanaugh addressed the commission and updated them on the status of the ozone monitoring season. He noted that there had been a number of exceedances during the month of June. From June 9, 2006 to June 20, 2006 there were thirteen 8-hour ozone exceedances across the state: three in Kansas City; nine in St. Louis; and one at an out-state monitor. The number of exceedances is not what determines whether there is a violation, rather it is the fourth highest value at a monitor averaged over a three year period. Currently two monitors in the St. Louis area, West Alton and Orchard Farm, are reaching levels that are close to triggering a violation. Continuing exceedances of the ozone standard reemphasizes that we still have more work to do. The standard for ozone is based on health criteria so monitoring at the standard, or just below it, is not where we want to be. We need to see monitoring values well below the health based national standard. The hottest days and highest ozone levels typically occur between the Fourth of July weekend and Labor Day weekend.

b) Federal Budget

Mr. Kavanaugh also noted that in April, President Bush had proposed cutting \$35 million from the Federal Budget in state air grants across the nation. The U.S. House of Representatives Appropriation Committee has proposed putting the full \$35 million back into the budget and the U.S. Senate Appropriation Subcommittee has proposed to put back \$15 million. The full U.S. Senate Appropriation Committee is meeting today

on that issue. Mr. Kavanaugh stated he would keep the commission updated on the issue.

c) Boutique Fuels Task Force

Mr. Kavanaugh noted that as the commission may recall, the President asked the EPA Administrator, Steve Johnson, to convene a task force composed of the state governors, EPA, and the Departments of Energy and Agriculture. The task force also included input from stakeholders like refineries, petroleum marketers and trucking firms to evaluate boutique fuels. Boutique fuels are defined as fuels that were put in place by states that were needed to address air quality issues and were included in SIPs. In Missouri, the only area we have a boutique fuel is in Kansas City. We have an ozone season requirement for 7.0 gasoline. 7.0 is the vapor volatility of the gas. Conventional gasoline is 9.0. There has been a lot of high level discussion nationally that boutique fuels cause price spikes and supply disruptions. However, to date there is no evidence to support that theory. Typically, boutique fuels increase the price of gas at the pump between three tenths of a cent up to three cents a gallon. The task force presented a final report identifying seven different types of boutique fuels and twelve states requiring those fuels. The task force determined that unless there is a disruption like a hurricane or a major pipeline break, there is no supply issue with providing the existing boutique fuels. The task force also determined that state boutique fuel programs provide significant cost-effective air quality improvements in those states. Future options may include national or regional clean fuel programs. Renewable fuels such as ethanol were not considered as boutique fuels for this study.

d) Environmental Conference

The next commission meeting is scheduled for July 20, 2006, a week earlier than normal due to the scheduling of the Environmental Conference at the Lake of the Ozarks. The conference is hosted by the Missouri Chamber of Commerce and will be from July 26 to 28, 2006 at Tan-Tar-A Resort. Any members of the commission interested in attending the conference may contact David Gilmore to make the necessary arrangements, if they so desire. Mr. Kavanaugh noted he will be attending the meeting on July 28, 2006.

e) Ultra Low-Sulfur Diesel Fuel

Mr. Kavanaugh noted that on June 1, 2006 a federal requirement for ultra low-sulfur diesel fuel went into effect. The fuel will be phased in over the next three to four years. Refineries are now beginning to produce ultra low-sulfur fuel and later this year new vehicles will be manufactured with the technology to burn the new cleaner fuel.

f) Blue Skyways Collaborative

Mr. Kavanaugh also noted that the Blue Skyways Collaborative held its kickoff meeting in Kansas City back in February. Mr. Kavanaugh was able to attend the Blue Skyways Collaborative meeting in Dallas on June 19 and 20, 2006. Participating in this collaborative to date are ten states, EPA Regions VI and VII, six federal agencies, 10 major companies, and 18 communities. Blue Skyways partners and communities are creating a network to make air pollution controls more accessible by leveraging funding and sharing technology and professional expertise. For example, Wal-Mart has a truck fleet of some seven thousand vehicles on the road and they are installing auxiliary power units (APU) on each vehicle. The APUs allow vehicles to use less fuel, instead of having to idle to keep the heater or air conditioner going throughout their travels they have these smaller units that run on diesel fuel. The APU saves five to eight percent on fuel and of course at the same time reduces air pollution. There are low interest loans available to retrofit these units on vehicles so trucking companies can lower costs and save money. Some of the other areas Blue Skyways are working in includes railyards, airports and off-road heavy equipment. There is a strong commitment to build an infrastructure for E-85 from the Canadian border to Mexico. So, for example, if driving an E-85 fuel vehicle, E-85 gas will be readily available through any of the central states. Texas based business H-E-B Grocery Company has committed to include E-85 pumps at 100 of their stores.

Mr. Kavanaugh commented on ethanol plant permitting. He said that permitting of an ethanol plant is usually fairly straightforward, as Ms. Moore stated previously. However, if problems arise they are typically related to the proposed location of the plant. If a proposed plant is wanting to locate in close proximity to an existing operation or in an area with other large permitted sources, then any modeling and/or associated increment analysis problems that might need to be addressed is greatly increased. Early pre-application meetings are strongly encouraged.

5) ST. LOUIS VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM UPDATE

Haskins Hobson address the commission and introduced himself as the Inspection and Maintenance (I/M) Team Coordinator for the program. He presented an update on the St. Louis Vehicle Emissions Inspection and Maintenance Program. His presentation covered Senate Bill 583, which was passed during the 2006 legislative session, and the substantial statutory changes included in the bill. Mr. Hobson's presentation begins on Page 159 of the June briefing document.

Vice-Chairman Foresman inquired how much of the \$24 test fee that is currently collected is returned to the state.

Mr. Hobson replied that the state currently receives \$2.50 for each \$24 inspection in the enhanced I/M area and 75 cents from each inspection in the basic I/M area.

Commissioner Garnett inquired if that amount covered the state's cost.

Mr. Hobson replied that it does. There are approximately 10 inspectors in the St. Louis area who audit the facilities and provide customer assistance to the public when they have questions or concerns about the I/M program. There are also Jefferson City staff that are planning future rules and a SIP revision, providing reports to EPA, and looking into future I/M developments, and this revenue covers all of these expenses.

6) UPDATED ON DEVELOPMENT OF STATE RULES FOR POWER PLANTS TO MEET FEDERAL REQUIREMENTS

Rick Campbell introduced himself and updated the commission on the Clean Air Interstate Rule (CAIR) and Clean Air Mercury Rule (CAMR). During Mr. Campbell's presentation he explained why CAIR and CAMR are needed, what the two rules require, how they are being implemented, what is required in Missouri, and the timeframes of the rules. Mr. Campbell's presentation begins on Page 169 of the June briefing document.

D. Unfinished Business

Renewable Environmental Solutions

Mr. Feeler noted that on Tuesday, June 27, 2006, a judge in Jasper County signed a consent judgement between the Attorney General's Office (AGO), the department and RES. The consent judgement resolved the outstanding issues related to penalties and the disposition of the Cease and Desist Order that was issued to RES in December. The judgement calls for a penalty of \$175,000: \$100,000 is to be paid to the Jasper County school fund; \$75,000 of that penalty is to be suspended contingent upon future compliance with the odor rule. The way the consent judgement is written, RES has the potential of paying \$25,000 anytime they get an odor violation. There is some language concerning when the department would collect that penalty. It is not necessarily automatic. For the \$75,000, it is suspended for up to three violations that the department would collect that penalty.

Mr. Feeler also noted that the consent judgement also brings resolution to the Cease and Desist Order. What had been happening since the original order was issued in December, was that the Director of the department had been issuing letters of approval for RES to operate under certain conditions. The latest one allowed them to operate up to July 16,

2006. The order states RES is now able to operate under their permit and in accordance with the rules and regulations and the Cease and Desist Order is no longer in affect. It does not preclude the department from issuing additional orders in the future if RES does not comply with the Odor Rule or any other state regulation. For the moment, the case is closed and the program hopes RES will continue to make improvements related to their odors and continue to operate as a viable business in Missouri. As far as the request for referral from the commission, it is a moot point and no action is necessary.

Vice-Chairman Foresman asked Tim Duggan if the AGO was satisfied.

Mr. Duggan replied that they were.

Mr. Feeler replied that RES did issue a news release on Tuesday, which spelled out all of the details.

Vice-Chairman Foresman said that it was resolved.

E. Public Hearing

Vice-Chairman Foresman called the public hearing to order.

Ron Jeffries presented 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning. The rule begins on Page 109 of the June Briefing Document.

David Shanks from Boeing commented on 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning.

Mark Reppond from Safety-Kleen commented on 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning.

To obtain a copy of the hearing transcript, please contact the Monnie VanZant at 3432 West Truman Boulevard, Suite 207, Jefferson City, MO 65019 or by telephone at 1-800-280-3376.

F. Recommended for Adoption or Actions to be Voted on

None.

G. New Business

a) Attorney General's Office Referrals

Mr. Feeler presented a referral request for Hill Brothers Construction and Accent Development. Information on the proposed referral for Hill Brothers Construction begins on Page 145 of the briefing document. Information on the proposed referral Accent Development begins on Page 149 of the briefing document

Vice-Chairman Foresman inquired if anyone from Hill Brothers Construction or Accent Development was present or anyone representing the two companies were present.

No one responded.

Commissioner Mark Fohey moved to refer Hill Brothers Construction and Accent Development to the AGO. Commissioner Rosenbohm seconded the motion. All commissioners voted for referral to the AGO.

Mr. Feeler presented a referral request for Bricker Excavating. Information on the proposed referral begins on Page 153 of the briefing document.

Vice-Chairman Foresman inquired if anyone from Bricker Excavating or anyone representing the company was present.

No one responded.

Commissioner Rosenbohm moved to refer Bricker Excavating to the AGO. Commissioner Fohey seconded the motion. All commissioners voted for referral to the AGO.

b) Necessity Findings

Mr. Lamb noted that the briefing document indicates that there will be 17 Necessity Findings presented to the commission for approval. However, only six will be presented to the commission for approval today. The six rules are related to CAIR and CAMR that Mr. Campbell updated the commission on earlier. Mr. Lamb noted that since Mr. Campbell had already given a description of the rules in his presentation he would not go into great detail on the rules.

Mr. Lamb presented the following Necessity Findings: 10 CSR 10-6.362 Clean Air Interstate Rule Annual NO_x Trading Program. This is the new rule amendment that will establish an emissions cap for nitrogen oxides and includes the affected sources in Missouri and EPA's regional cap and trade program for nitrogen oxides.

10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NO_x Trading Program. This rule establishes an ozone season emission cap for nitrogen oxides and also includes the affected sources in Missouri in the EPA's regional cap and trade program for nitrogen oxides.

10 CSR 10-6.366 Clean Air Interstate Rule SO₂ Trading Program. This new rule establishes an annual emissions cap for Sulfur Dioxide (SO₂) emissions from affected sources in Missouri and includes the affected sources in EPA's regional SO₂ emissions trading program.

10 CSR 10-6.368 Control of Mercury Emissions from Electric Generating Units. This new rule establishes an emissions cap for mercury emitted from coal-fired electric generating units greater than 25 megawatts and includes the affected sources in EPA's mercury trading program.

10 CSR 10-6.350 Emission Limitations and Emissions Trading of Oxides of Nitrogen. This rule amendment will add a clause that will end the statewide NO_x trading program with the implementation of the CAIR.

10 CSR 10-6.360 Control of NO_x Emissions From Electric Generating Units and Non-Electric Generating Units. This rule amendment will add a clause to end the NO_x SIP Call Program when CAIR becomes affective and it will also remove duplicative requirements for the affected units.

In general, these six rules predominantly adopt federally developed model rules, developed by EPA, to support federal emission reduction. These rules, which will affect electric generating units throughout Missouri, were all developed through stakeholder workgroups. The draft rulemaking text and regulatory impact reports for these are currently posted on the Web for the 60-day comment period, which closes August 28, 2006. A public hearing for these rules is tentatively expected to be held around the December 7, 2006 commission meeting.

Commissioner Fohey moved to approve the Necessity Findings for 10 CSR 10-6.362, 10 CSR 10-6.364, 10 CSR 10-6.366, 10 CSR 10-6.368, 10 CSR 10-6.350, and 10 CSR 10-6.360. Commissioner Garnett seconded; all commissioners voted to approve the findings.

H. Appeals and Variance Requests

Missouri Performance Evaluation Test Procedures

Mr. Feeler stated that in May of 2005 the commission issued a variance to the auto manufacturers in the St. Louis metropolitan area related to the Missouri Performance Evaluation Test Procedures (MoPETP), which is related to Stage II Vapor Recovery equipment. Since that time the program has been working on a rule change to the present to the commission. The program is not yet ready to present that rule change to the commission at this time so it and the auto manufacturers agreed, for their protection, the variance should be extended. The program and the auto manufacturers are requesting an extension of one year or until the rulemaking is finished. It is unlikely the rulemaking will not be completely finished within a year from now.

Mr. Feeler noted that part of the delay has been due to some additional testing going on and the auto manufacturers want to present the program with that data before it goes forward with the rulemaking. The rulemaking has been delayed longer than the program anticipated.

Vice-Chairman Foresman asked if the impact would be the same as last year.

Mr. Feeler replied that it would be the same as last year, minimal. The program does not believe there is any negative air quality issue associated with this.

Vice-Chairman Foresman inquired if the commission had a copy of the request letter in the briefing document.

Mr. Feeler replied that there is a copy of the letter requesting the variance, which is from the council of the auto manufacturers and there is also a variance order language on Page 157.

Commissioner Garnett moved to grant a variance to MoPETP test for initial fueling at automotive assembly plants pursuant to Missouri Rule 10 CSR 10-5.220 for an additional year or less depending upon final regulation. Commissioner Fohey seconded and all commissioners voted to grant the variance.

I. Open Session

There were no requests to address the commission.

J. Future Meeting Dates

July 20, 2006 – St. Louis

Crowne Plaza - St. Louis Airport

1-314-291-6700

11228 Lone Eagle Drive

St. Louis, MO 63044

August 31, 2006 – Jefferson City

Governor Office Building

Room 450

200 Madison Street

Jefferson City, MO 65101

September 28, 2006 – Kansas City

Holiday Inn - Sports Complex

1-816-353-5300

1st Base

4011 Blue Ridge Cutoff

Kansas City, MO 64133

October 26, 2006 – Jefferson City

Elm Street Conference Center

1738 East Elm Street

Lower Level

Roaring River Conference Room

Jefferson City, MO 65101

December 7, 2006 – Jefferson City

Elm Street Conference Center

1738 East Elm Street

Lower Level

Roaring River Conference Room

Jefferson City, MO 65101

K. Discussion of Pending Litigation and Legal Matters

None.

L. Missouri Air Conservation Commission

Commissioner Rosenbohm moved to adjourn the June 29, 2006, Missouri Air Conservation meeting. Commissioner Fohey seconded; all commissioners voted to adjourn the meeting.

Vice-Chairman Foresman adjourned the June 29, 2006, Missouri Air Conservation Commission meeting.

Respectfully submitted,

James L. Kavanaugh, Director
Air Pollution Control Program

Approved:

Jack Baker, Chairman
Missouri Air Conservation Commission

SETTLEMENT UPDATE

July 06, 2006

AGREEMENT ACHIEVED

Violation	Name	Negotiations Initiated	Paid Amount	Penalty Suspended
Asbestos				
	Allen, PC, Truman	12-01-05	\$0	\$0
	C&S Excavating	05-09-06	\$0	\$2,000
	Central States, Inc.	04-03-06	\$0	\$0
	D.Varalli Enterprises, LLC	02-09-06	\$500	\$1,500
	Environmental Operations, Inc.	12-27-05	\$2,000	\$3,000
	Heimbürger Construction, Inc.	05-02-06	\$500	\$1,500
	J & C Environmental	02-18-04	\$1,500	\$4,500
	J & C Environmental	02-18-04	\$1,500	\$4,500
	Jim Kidwell Construction Corp.	05-02-06	\$0	\$0
	Lampley & Associates	10-27-03	\$1,000	\$3,000
	Noble Stone Company	08-30-05	\$500	\$1,500
	Patel, Manny and Patel, Pete	04-07-06	\$500	\$1,500
	Quality Roofing Company	04-07-06	\$0	\$2,000
	R2K LLC	05-09-06	\$0	\$2,000
	Show-Me Environmental, Inc.	11-02-05	\$4,000	\$4,000
Construction Permit				
	Circle M Ready Mix, Inc.	12-20-05	\$5,000	\$5,000
	Collins and Aikman	06-30-05	\$0	\$0
	Courtney Excavating & Construction, Inc.	08-10-04	\$3,000	\$0
	James Cape & Sons Company	04-10-02	\$4,000	\$0
Dry Cleaning				
	Americlean Drycleaners	01-27-06	\$3,500	\$0
	Prestige Cleaners	11-21-05	\$1,500	\$0
EIQ				
	C. J.'s Cleaners	12-19-05	\$500	\$1,500
	Executive Shirt Service	08-25-03	\$1,500	\$0
	Payless Concrete	06-24-05	\$3,000	\$3,000
Excess Emissions				
	Payless Concrete	11-17-05	\$3,000	\$3,000
MACT				
	Crown Royal Cleaners (Forum Prof. Dry Cleaners)	01-13-06	\$2,000	\$2,000
Odor				
	National Starch and Chemical Company	03-02-06	\$10,000	\$0
Open Burning				
	B & R Salvage	06-24-05	\$2,000	\$2,000
	Cunningham, Charlie	04-26-05	\$0	\$2,000

AGREEMENT ACHIEVED

Violation	Name	Negotiations Initiated	Paid Amount	Penalty Suspended
Open Burning				
	Falco, Joseph	01-06-06	\$500	\$1,500
	Franklin, Jeff	11-02-05	\$500	\$1,500
	Gallegos, Walt	10-31-05	\$0	\$5,000
	Kevin Poynter	03-23-06	\$0	\$6,000
	Lyle Youngberg	02-09-06	\$500	\$1,500
	Schnakenburg, Steve	01-18-06	\$0	\$2,000
Operating Permit				
	Buckhorn Rubber	06-09-05	\$1,500	\$0
	Midland Lithography Company	06-07-06	\$1,000	\$3,000
	Precision Marble	06-13-06	\$3,000	\$0
	U.S.Paint Corporation	05-04-06	\$500	\$1,500
	VC Missouri Holdings, LLC	06-14-06	\$1,500	\$0
Stage I				
	Energy Petroleum	06-07-06	\$1,000	\$3,000
Stage I Delivery				
	Energy Petroleum	06-07-06	\$1,000	\$3,000
	Transwood, Inc.	05-03-06	\$1,000	\$3,000
Stage II				
	Midwest Petroleum #2710 (MPC-88)	07-01-05	\$500	\$0
	Purschke Oil Company	09-12-03	\$1,000	\$3,000
	Wheeler's Service Station, Inc.	05-16-06	\$0	\$2,000
Stage II - Construction				
	Neumayer Equipment	05-15-06	\$500	\$0

NEGOTIATIONS ONGOING

Violation	Name	Negotiations Initiated
Asbestos		
	Brad Greer Pest Control	05-30-06
	C & D Heating and Cooling	01-23-04
	Carp, Janet	05-02-06
	Craig Hollis	07-03-06
	Don Bedel	06-19-06
	Don Gregory Excavating	04-03-06
	EBR Enterprises	04-07-06
	Gardner, Tim (The Store)	06-27-06
	Gary Merritt	04-14-06
	GBH Builders, Inc.	10-21-05
	King Environmental	06-14-05
	Louis B. Eckelkamp	05-09-06
	McIntyre Mann Carpets	04-03-06
	Mr. And Mrs. James and Rose Lane	04-28-06
	Mr. Belton Duncan	04-28-06
	Mr. Trash Refuse Co. (Mr. Martin Phillips)	06-02-06
	Orchard Court, LLC	02-09-06
	R.E. Smith Construction	04-07-06
	R.L. Phillips Construction	02-22-06
	Renegade Construction, Inc.	06-17-05
	Rev. Marion Makarewicz	07-03-06
	Robertson, Darryl	06-02-06
	Summit Companies	05-22-06
	Todd Boland	05-09-06
	Ware Farms	04-07-06
	Wendy's of Missouri	
Asbestos/Open Burning		
	Cedar Acres Resort	09-16-05
Charcoal Kiln/Construction Permit/Operating Permit		
	Craig Industries, Inc.	03-03-06
Cleaning Solvent		
	Liberty Sandblasting, Inc.	03-10-06
Construction Permit		
	Daimler Chrysler- St. Louis South	04-25-05
Dry Cleaning		
	Slaughter's Cleaners	12-28-04
EIQ		
	Bon Ton Cleaners	12-07-05
	Cargill Animal Nutrition	05-02-06

NEGOTIATIONS ONGOING

Violation	Name	Negotiations Initiated
EQ		
	Cass County Cleaners	04-18-06
EQ/Construction Permit		
	Black River Asphalt/Dement Ready Mix	01-05-06
Excess Emissions		
	Premium Standard Farms Milan Processing Facility	05-16-06
	Premium Standard Farms, Somerset	09-02-05
MACT		
	Dial Cleaners	03-13-06
	Hydro Aluminum Wells	05-18-05
	Hydro Aluminum Wells	02-17-06
	Teva Pharmaceuticals	03-01-06
NSPS		
	Nestle Pruina Petcare	05-22-06
Odor		
	Fred Weber Inc	01-10-06
	Schreiber Foods, Inc.	01-31-06
Open Burning		
	Watkins, Ryan H.	03-23-06
	Adams, Don	01-12-06
	Barbara Burton	06-07-06
	Brown, James	10-18-05
	Degenhardt, Jack & Karen	06-14-06
	Earl, Mike & Diane	06-09-05
	Gross, Daniel	05-21-02
	Helton, Greg	03-14-05
	James Sands	02-28-06
	John Childs	09-23-04
	John Gordon	04-03-06
	John White	04-24-06
	Johnson, David K.	03-23-06
	Jones, Tim	11-08-05
	King Realty (Fred King)	06-15-06
	Michael Bristow	01-13-06
	Oswald Ag Services	02-27-06
	Phillips Grading & Construction	06-14-06
	Roberts, Randy	06-24-05
	Swearengin Investments	02-09-06
	Tyke Entertainment (dba Shooter's 21)	06-19-02
Operating Permit		

NEGOTIATIONS ONGOING

Violation	Name	Negotiations Initiated
Operating Permit		
	Aarons Automotive Products	06-06-06
	Dazor Manufacturing Corporation	06-13-06
	Doe Run (Central)	06-15-06
	Doe Run (Fletcher Mine)	06-14-06
	Doe Run/Buick Mine	06-13-06
	Donnie Haynes	04-19-06
	Loxcreen Company, Inc.	06-06-06
	St. Louis Post Dispatch	06-14-06
	Von Hoffman Press	06-14-06
Stage I Delivery		
	Petroleum Terminals, Inc.	06-07-06
Stage II		
	7-Eleven f-2147	06-22-06
	Arnold Citgo F-2032 (Lion Petroleum)	03-29-06
	BP Amoco #2294 F-3611	06-15-06

PENDING CASES REFERRED
TO ATTORNEY GENERAL'S OFFICE

Violation	Name	Commission Referral Date
Asbestos		
	Angell, Daniel	12-08-05
	Bricker Excavating	06-29-06
	Building Restoration/Mound City Development	05-25-06
	Carver, Craig	10-27-05
	GMMP	05-25-06
	Hance Excavating	03-30-06
	Hobby Lobby	05-24-06
	Hoot-N-Anny's Bar Grill	10-27-05
	Sinfabco	05-25-06
Asbestos/Open Burning		
	Accent Development	06-29-06
	Hill Brothers Construction	06-29-06
Denial of Access		
	Olean Seed Company	03-31-05
EIQ		
	Colonial Cleaners & Commercial Laundry	03-27-03
MACT		
	Scrubby Duds, Kirksville	06-21-01
	Stewart's Quality Cleaners	02-02-06
Open Burning		
	Banks, Tom	02-02-06
	Carman Chemical	02-02-06
	Craig Automotive	10-13-04
	Gallagher, Tanya/Israel, Michael	02-02-06
	Holloran, Matt	05-25-06
	John Cavanaugh Construction, LLC	03-30-06
	Joseph "Artie" Ayres	02-10-05
	Mike Nelson	05-25-06
	Rocky Keirn	09-23-04
	Roy Purinton	03-29-03
	Russell, Mark	05-25-06
Operating Permit		
	Black Tie Cleaners	06-24-04
	K & R Wood Products, Inc.	03-30-06
	National Dry Cleaners	03-25-04
Stage I		
	Indepence Gas & Speedy Mart, Inc.	05-26-05



Missouri Department of Natural Resources
Division of Environmental Quality
Air Pollution Control Program

**PERMIT APPLICATIONS
RECEIVED**

	Construction Permits	Operating Permits	Total
January	63	28	91
February	54	30	84
March	66	25	91
April	34	28	62
May	36	32	68
June	54	26	80
Total	307	169	476

Department of Natural Resources

Division of Environmental Quality

Permits Management System

Air Pollution Control Program

Company: Norris Asphalt Paving - Breit Quarry	Description: Update for BMP's - electrosb
Location: 16298 Hwy 71	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Savannah	Status: AP: Technical Review
County: Andrew	Received: 6/12/2006
Project#: AP200606047	
Company: Miracle Recreation Equipment Co	Description: Rotational molding machine
Location: 907 East County Road	Permit Type: AP: Applicability Determination Request
City: Monett	Status: AP: Awaiting Completeness Check
County: Barry	Received: 6/22/2006
Project#: AP200606075	
Company: Collins & Aikman	Description: Filter efficiency
Location: 4000 Waco Road	Permit Type: AOP: Intermediate Operating Permit Amendm
City: Columbia	Status: AP: Receive, Log, Assign
County: Boone	Received: 6/6/2006
Project#: AP200606023	
Company: Mertens / Mid-Missouri Limestone, Inc.	Description: Record-keeping requirements
Location: 1801 WEST WILLIAMS ROAD	Permit Type: AP: IR Corrections & Amendments
City: Sturgeon	Status: AP: Amendment Approved
County: Boone	Received: 6/6/2006
Project#: AP200606025	
Company: American Walnut	Description: Wood Finishing
Location: 2801 S 2nd St	Permit Type: AOP: Intermediate Operating Permit Renewal
City: St. Joseph	Status: AP: IR Completeness Check
County: Buchanan	Received: 6/12/2006
Project#: AP200606063	
Company: Northwest Biodiesel LLLP	Description: Biodiesel
Location:	Permit Type: AP: Applicability Determination Request
City: St. Joseph	Status: AP: Awaiting Completeness Check
County: Buchanan	Received: 6/7/2006
Project#: AP200606030	
Company: Lake Ozark Sand & Gravel-Odey	Description: CEC Screen
Location: T38N:R14W:S24:NE Boot Rd	Permit Type: AP: Sec 4: Relocate Approved Site
City: Brumley	Status: AP: Section 4 Permit Issued
County: Camden	Received: 6/16/2006
Project#: AP200606054	
Company: Kasten Clay Products	Description: Clay Bricks
Location: 713 Lee Ave	Permit Type: AOP: Basic Operating Permit Renewal
City: Jackson	Status: AP: IR Completeness Check
County: Cape Girardeau	Received: 6/12/2006
Project#: AP200606060	
Company: Procter & Gamble Paper Products	Description: Zip code and emission unit list
Location: 14484 State Hwy 177	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: Cape Girardeau	Status: AP: Receive, Log, Assign
County: Cape Girardeau	Received: 6/15/2006
Project#: AP200606065	
Company: Procter & Gamble Paper Products	Description: Emission point addition
Location: 14484 State Hwy 177	Permit Type: AOP: Part 70 Operating Permit Off-Permit Cha
City: Cape Girardeau	Status: AP: Receive, Log, Assign
County: Cape Girardeau	Received: 6/15/2006
Project#: AP200606064	

Company: Procter & Gamble Paper Products	Description: HAPs and Vanes
Location: 14484 State Hwy 177	Permit Type: AOP: Part 70 Operating Permit Sign. Modificat
City: Cape Girardeau	Status: AP: Receive, Log, Assign
County: Cape Girardeau	Received: 6/15/2006
Project#: AP200606066	
Company: Capital Quarries - Hiwy 60	Description: Rock Crushing
Location: T26N:R01W:S06	Permit Type: AP: Sec 4: Relocate to New Site
City: Van Buren	Status: AP: Section 4 Permit Issued
County: Carter	Received: 6/2/2006
Project#: AP200606024	
Company: Crider Brothers Quarry	Description: Screen & conveyor
Location: County Rd 309	Permit Type: AOP: Basic Operating Permit Amendment
City: Van Buren	Status: AP: Receive, Log, Assign
County: Carter	Received: 6/2/2006
Project#: AP200606022	
Company: Aquila South Harper Peaking Fac.	Description: Natural Gas Peaking Plant
Location: 24110 S. Harper Rd	Permit Type: AOP: Part 70 Operating Permit
City: Peculiar	Status: AP: Awaiting Completeness Check
County: Cass	Received: 6/7/2006
Project#: AP200606037	
Company: Martin Marietta - Peculiar Quarry	Description: Conveyors and screen
Location: 7410 County Hwy YY West	Permit Type: AP: Applicability Determination Request
City: Peculiar	Status: AP: Awaiting Completeness Check
County: Cass	Received: 6/2/2006
Project#: AP200606016	
Company: Missouri Partners Inc	Description: Rock Crushing
Location: Hwy ZZ & Countyline	Permit Type: AP: IR Applicability Determination Request
City: Clever	Status: AP: IR Unit Chief Review
County: Christian	Received: 6/26/2006
Project#: AP200606082	
Company: Aristocrat Marble, Inc.	Description: Reclassify P70 to BAS
Location: 2401 BURLINGTON ST	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: North Kansas City	Status: AP: Receive, Log, Assign
County: Clay	Received: 6/23/2006
Project#: AP200606076	
Company: Bluegrass Container Company, LLC	Description: Ownership Change
Location: 110 East 10th Avenue	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: North Kansas City	Status: AP: Receive, Log, Assign
County: Clay	Received: 6/27/2006
Project#: AP200606091	
Company: Henry Wurst, Inc	Description: Printed Products
Location: 1331 SALINE ST	Permit Type: AOP: Intermediate Operating Permit Renewal
City: Kansas City	Status: AP: IR Completeness Check
County: Clay	Received: 6/29/2006
Project#: AP200606107	
Company: Jefferson City Landfill	Description: Gas control system
Location: 5605 Moreau Dr	Permit Type: AP: Applicability Determination Request
City: Jefferson City	Status: AP: Awaiting Completeness Check
County: Cole	Received: 6/5/2006
Project#: AP200606013	
Company: Jefferson City Landfill	Description: Correct capacity, remove conditions
Location: 5605 Moreau Dr	Permit Type: AP: Corrections & Amendments
City: Jefferson City	Status: AP: Awaiting Completeness Check
County: Cole	Received: 6/6/2006
Project#: AP200606029	

Company: N.A.P. Co - I-35 Cameron	Description: Asphalt
Location: 109th St	Permit Type: AP: Sec 4: Relocate to New Site
City: Cameron	Status: AP: Awaiting Completeness Check
County: Daviess	Received: 6/22/2006
Project#: AP200606081	
Company: Norris Asphalt Paving	Description: Update for BMP's
Location: 16664 County Hwy C	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Pattonsburg	Status: AP: Technical Review
County: Daviess	Received: 6/12/2006
Project#: AP200606048	
Company: Bluegrass Container Company, LLC	Description: Ownership Change
Location: 1101 South Denton	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: Pacific	Status: AP: Receive, Log, Assign
County: Franklin	Received: 6/27/2006
Project#: AP200606090	
Company: Northside Landfill, Inc	Description: Terminate OP
Location: 4561 SAINT JOHNS RD	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: Washington	Status: AP: Receive, Log, Assign
County: Franklin	Received: 6/7/2006
Project#: AP200606034	
Company: The Meramec Group	Description: Subpart PPPP applicability
Location: 338 Ramsey St	Permit Type: AP: Corrections & Amendments
City: Sullivan	Status: AP: Executive Review
County: Franklin	Received: 6/6/2006
Project#: AP200606019	
Company: Norris Asphalt Paving - Trenton	Description: Update to BMP - electrosb
Location: 38 NW HIGHWAY 146	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Trenton	Status: AP: Technical Review
County: Grundy	Received: 6/12/2006
Project#: AP200606045	
Company: Norris Asphalt Paving	Description: Update to BMP - electrosb
Location: 29365 Outer Rd	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Bethany	Status: AP: Technical Review
County: Harrison	Received: 6/12/2006
Project#: AP200606046	
Company: Tracker Marine	Description: Research addition
Location: 1275 N. Golden Dr	Permit Type: AP: Applicability Determination Request
City: Clinton	Status: AP: Awaiting Completeness Check
County: Henry	Received: 6/15/2006
Project#: AP200606085	
Company: Golden Triangle Energy	Description: Ethanol Plant
Location: 15053 Hwy 111	Permit Type: AOP: Intermediate Operating Permit Renewal
City: Craig	Status: AP: IR Completeness Check
County: Holt	Received: 6/28/2006
Project#: AP200606103	
Company: ISP Minerals, Inc.	Description: Replace crusher
Location: 1 HILLCREST DR	Permit Type: AP: Applicability Determination Request
City: Annapolis	Status: AP: Receive, Log, Assign
County: Iron	Received: 6/23/2006
Project#: AP200606097	
Company: Hallmark Cards, Inc	Description: Printing Press
Location: 2501 MCGEE ST	Permit Type: AP: Corrections & Amendments
City: Kansas City	Status: AP: Awaiting Completeness Check
County: Jackson	Received: 6/6/2006
Project#: AP200606020	

Company: L.S. Construction Services, Inc.	Description: Add limits to permit
Location: 1600 N STATE ROUTE 291	Permit Type: AP: IR Corrections & Amendments
City: Sugar Creek	Status: AP: Awaiting Completeness Check
County: Jackson	Received: 6/12/2006
Project#: AP200606042	
Company: Veterans Administration Medical Center	Description: Hospital
Location: 4801 E LINWOOD BLVD	Permit Type: AOP: Basic Operating Permit Renewal
City: Kansas City	Status: AP: Receive, Log, Assign
County: Jackson	Received: 6/22/2006
Project#: AP200606084	
Company: Magellan Pipeline Co-Carthage	Description: Ethanol Loading
Location: 18195 County Rd 138	Permit Type: AP: Applicability Determination Request
City: Jasper	Status: AP: Permit Required
County: Jasper	Received: 6/6/2006
Project#: AP200606021	
Company: Tamko Building Products, Inc.	Description: Name Change
Location: 3000 Newman Rd	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: Joplin	Status: AP: Awaiting Completeness Check
County: Jasper	Received: 6/21/2006
Project#: AP200606074	
Company: AAA Zoellner Materials	Description: Concrete
Location: 5555 Old Hwy 21	Permit Type: AOP: Basic Operating Permit
City: Imperial	Status: AP: Initial Clerical Prep
County: Jefferson	Received: 6/5/2006
Project#: AP200606032	
Company: River Cement Company	Description: Kiln modifications
Location: 1000 River Cement Rd	Permit Type: AP: Corrections & Amendments
City: Festus	Status: AP: Applicant submitting complete
County: Jefferson	Received: 6/5/2006
Project#: AP200606012	
Company: Enersys Energy Products Inc	Description: Encapsulator
Location: 617 N RIDGEVIEW DR	Permit Type: AP: Sec 5 & 6: Deminimis and Minor
City: Warrensburg	Status: AP: Technical Review
County: Johnson	Received: 6/22/2006
Project#: AP200606079	
Company: Hilty Quarries, Inc	Description: Moisture Content
Location: 407 SW Hwy 13	Permit Type: AP: IR Corrections & Amendments
City: Warrensburg	Status: AP: Receive, Log, Assign
County: Johnson	Received: 6/19/2006
Project#: AP200606099	
Company: Hilty Quarries, Inc	Description: Moisture
Location: 407 SW Hwy 13	Permit Type: AP: IR Corrections & Amendments
City: Warrensburg	Status: AP: Receive, Log, Assign
County: Johnson	Received: 6/19/2006
Project#: AP200606101	
Company: Hilty Quarries, Inc	Description: Crusher capacity
Location: 407 SW Hwy 13	Permit Type: AP: IR Applicability Determination Request
City: Warrensburg	Status: AP: Awaiting Completeness Check
County: Johnson	Received: 6/19/2006
Project#: AP200606077	
Company: Hilty Quarries, Inc	Description: Moisture
Location: 407 SW Hwy 13	Permit Type: AP: IR Corrections & Amendments
City: Warrensburg	Status: AP: Receive, Log, Assign
County: Johnson	Received: 6/19/2006
Project#: AP200606100	

Company: Southside Red-E-Mix LLC	Description: Concrete
Location: 1118 NE 75	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Knob Noster	Status: AP: Technical Review
County: Johnson	Received: 6/16/2006
Project#: AP200606058	
Company: Big Creek Quarry	Description: Add crusher, screen-electrosub
Location: 4884 Meete Road	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Moscow Mills	Status: AP: IR Completeness Check
County: Lincoln	Received: 6/19/2006
Project#: AP200606070	
Company: The Kingsford Products Co	Description: Screens and ductwork
Location: 21200 Maries Rd 314	Permit Type: AP: Applicability Determination Request
City: Belle	Status: AP: Awaiting Completeness Check
County: Maries	Received: 6/5/2006
Project#: AP200606014	
Company: Hutchens Construction	Description: Amend for colocation
Location: 734 Bear Hollow Road	Permit Type: AP: IR Corrections & Amendments
City: Jane	Status: AP: Awaiting Completeness Check
County: McDonald	Received: 6/23/2006
Project#: AP200606087	
Company: Hutchens Construction	Description: Rock Crushing - electrosub
Location: 734 Bear Hollow Road	Permit Type: AP: Sec 4: Relocate to New Site
City: Jane	Status: AP: Awaiting Completeness Check
County: McDonald	Received: 6/23/2006
Project#: AP200606086	
Company: Norris Asphalt Paving Co - Mercer	Description: Rock Crushing - electrosub
Location: T66N:R23W:S22:NW:SW County Hwy M	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Mercer	Status: AP: Technical Review
County: Mercer	Received: 6/26/2006
Project#: AP200606092	
Company: Lake Ozark Sand and Gravel	Description: Pep Screen
Location: 14 County Hwy V	Permit Type: AP: Sec 4: Relocate Approved Site
City: Bagnell	Status: AP: Section 4 Permit Issued
County: Miller	Received: 6/16/2006
Project#: AP200606053	
Company: Lake Ozark Sand and Gravel	Description: Rock Crushing
Location: 14 County Hwy V	Permit Type: AP: Sec 4: Relocate Approved Site
City: Bagnell	Status: AP: Section 4 Permit Issued
County: Miller	Received: 6/19/2006
Project#: AP200606056	
Company: Tipton Correctional Center	Description: Boiler heat modifications
Location: 619 N Osage Ave	Permit Type: AP: Applicability Determination Request
City: Tipton	Status: AP: Receive, Log, Assign
County: Moniteau	Received: 6/23/2006
Project#: AP200606098	
Company: Brodersen Sand & Gravel	Description: Sand & Gravel
Location: MO Hwy 135	Permit Type: AP: IR Applicability Determination Request
City: Florence	Status: AP: Awaiting Completeness Check
County: Morgan	Received: 6/8/2006
Project#: AP200606035	
Company: Brodersen Sand & Gravel	Description: Sand & Gravel
Location: CR50-409	Permit Type: AP: IR Applicability Determination Request
City: Otterville	Status: AP: Receive, Log, Assign
County: Morgan	Received: 6/8/2006
Project#: AP200606036	

Company: Ozark Ready Mix	Description: Concrete - electrosu
Location: 1000 Petty Dr	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor
City: Versailles	Status: AP: Technical Review
County: Morgan	Received: 6/1/2006
Project#: AP200606011	
Company: A E C I New Madrid	Description: Over-Fire Air
Location: St. Jude Road	Permit Type: AP: Section 7, 8 & 9 Major Source Review
City: New Madrid	Status: AP: Technical Review
County: New Madrid	Received: 6/5/2006
Project#: AP200606026	
Company: Eveready Battery Company, Inc.	Description: Welding exhaust
Location: 3131 East First Street	Permit Type: AP: Applicability Determination Request
City: Maryville	Status: AP: Awaiting Completeness Check
County: Nodaway	Received: 6/5/2006
Project#: AP200606015	
Company: Norris Asphalt Paving Co - Gooden	Description: Update to BMP-electrosu
Location: MO Hwy 46 N	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor
City: Ravenwood	Status: AP: Technical Review
County: Nodaway	Received: 6/12/2006
Project#: AP200606044	
Company: Northwest Missouri State University	Description: Power & Boilers
Location: 800 UNIVERSITY DR	Permit Type: AOP: Part 70 Operating Permit Renewal
City: Maryville	Status: AP: Awaiting Completeness Check
County: Nodaway	Received: 6/26/2006
Project#: AP200606093	
Company: Capital Quarries Co, Inc.	Description: New generic crusher -electrosu - BMP
Location: 22120 COUNTY ROAD 7560	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor
City: Jerome	Status: AP: Technical Review
County: Phelps	Received: 6/13/2006
Project#: AP200606051	
Company: Lake Asphalt Paving - Capital Site	Description: Asphalt-electrosu
Location: 14050 County Rd 2110	Permit Type: AP: Sec 4: Relocate to New Site
City: Rolla	Status: AP: Technical Review
County: Phelps	Received: 6/15/2006
Project#: AP200606057	
Company: Holcim (US) Inc.	Description: Temporary Crusher
Location: 14744 MO Hwy 79 N	Permit Type: AP: Applicability Determination Request
City: Clarksville	Status: AP: No Permit Required
County: Pike	Received: 6/20/2006
Project#: AP200606067	
Company: Facility Operation Services, LLC	Description: Steam and wastewater
Location: 9200 NW 112th	Permit Type: AOP: Intermediate Operating Permit
City: Kansas City	Status: AP: Receive, Log, Assign
County: Platte	Received: 6/22/2006
Project#: AP200606083	
Company: Leo Journagan Construction	Description: Asphalt-electrosu - BMP
Location: T33N:R24W:S23	Permit Type: AP: Sec 4: Relocate to New Site
City: Bolivar	Status: AP: Awaiting Completeness Check
County: Polk	Received: 6/19/2006
Project#: AP200606069	
Company: Tracker Marine	Description: Boats
Location: 1402 S. Killingsworth	Permit Type: AOP: Intermediate Operating Permit Renewal
City: Bolivar	Status: AP: IR Completeness Check
County: Polk	Received: 6/12/2006
Project#: AP200606061	

Company: Lake Ozark Sand and Gravel-Connor	Description: Amend for colocation
Location: Superior Rd	Permit Type: AP: IR Corrections & Amendments
City: St. Robert	Status: AP: Awaiting Completeness Check
County: Pulaski	Received: 6/14/2006
Project#: AP200606055	
Company: Lake Ozark Sand and Gravel-Connor	Description: Rock Crusher-electrosub
Location: Superior Rd	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: St. Robert	Status: AP: Technical Review
County: Pulaski	Received: 6/19/2006
Project#: AP200606059	
Company: Willard Quarries	Description: Modification for NSR amendment
Location: 13875 Tulsa Road	Permit Type: AOP: Basic Operating Permit Amendment
City: St. Robert	Status: AP: Awaiting Completeness Check
County: Pulaski	Received: 6/12/2006
Project#: AP200606062	
Company: C. B. Asphalt, Inc.-Norris Mt. Airy	Description: Asphalt
Location: T53N:R15W:S09:NW Hwy 3 North of Mt	Permit Type: AP: Sec 4: Relocate to New Site
City: Huntsville	Status: AP: Awaiting Completeness Check
County: Randolph	Received: 6/29/2006
Project#: AP200606106	
Company: Norris Aggregate Products (East)	Description: Update for BMP's - electrosub
Location: 2655 S MO Hwy 3	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Huntsville	Status: AP: Technical Review
County: Randolph	Received: 6/12/2006
Project#: AP200606049	
Company: Eagle Wings Construction	Description: Concrete
Location: CR142-E20	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Doniphan	Status: AP: IR Completeness Check
County: Ripley	Received: 6/21/2006
Project#: AP200606072	
Company: Con Agra Frozen Foods Corp	Description: Frozen Foods
Location: 253 W MARION ST	Permit Type: AOP: Intermediate Operating Permit Renewal
City: Marshall	Status: AP: IR Completeness Check
County: Saline	Received: 6/6/2006
Project#: AP200606031	
Company: Fred Weber - New Melle Quarry	Description: Bin and conveyor
Location: 2710 County Hwy F	Permit Type: AP: IR Applicability Determination Request
City: New Melle	Status: AP: Awaiting Completeness Check
County: St. Charles	Received: 6/12/2006
Project#: AP200606043	
Company: LaFarge North America-Defiance Plant	Description: Add Conveyor
Location: County Hwy DD	Permit Type: AP: Applicability Determination Request
City: Defiance	Status: AP: Awaiting Completeness Check
County: St. Charles	Received: 6/26/2006
Project#: AP200606088	
Company: Reckitt Benckiser Inc	Description: New production lines
Location: 30 ARROWHEAD INDUSTRIAL BLVD	Permit Type: AP: Sec 5 & 6: Deminimis and Minor
City: St. Peters	Status: AP: Technical Review
County: St. Charles	Received: 6/22/2006
Project#: AP200606078	
Company: Leo Journagan at Ash Grove Dever	Description: Asphalt - electrosub - BMP
Location: Hwy EE	Permit Type: AP: Sec 4: Relocate to New Site
City: El Dorado Springs	Status: AP: Section 4 Permit Issued
County: St. Clair	Received: 6/12/2006
Project#: AP200606050	

Company: Leo Journagan at Ash Grove Dever	Description: Asphalt-electrosub
Location: Hwy EE	Permit Type: AP: Sec 4: Relocate to New Site
City: El Dorado Springs	Status: AP: Applicant Draft Review
County: St. Clair	Received: 6/22/2006
Project#: AP200606080	
Company: Iron Mountain Trap Rock	Description: Increase Production
Location: County Hwy W	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor
City: Iron Mountain	Status: AP: IR Completeness Check
County: St. Francois	Received: 6/28/2006
Project#: AP200606102	
Company: A.G. Recycling	Description: Rock Crushing
Location: 6600 Ridge Ave	Permit Type: AP: Local CP
City: Wellston	Status: AP: Awaiting Completeness Check
County: St. Louis	Received: 6/29/2006
Project#: AP200606104	
Company: Allsafe Services & Materials	Description: Roller-Coater
Location: 2025 Hitzert Ct	Permit Type: AP: Local CP
City: Fenton	Status: AP: Receive, Log, Assign
County: St. Louis	Received: 6/28/2006
Project#: AP200606096	
Company: Packaging Concepts Inc	Description: Printing
Location: 9832 Evergreen Industrial Dr	Permit Type: AOP: Basic Operating Permit
City: Green Park	Status: AP: Receive, Log, Assign
County: St. Louis	Received: 6/19/2006
Project#: AP200606071	
Company: Pharmacia Company (Chesterfield)	Description: Stand-by generator
Location: 700 Chesterfield Parkway	Permit Type: AP: Local CP
City: Chesterfield	Status: AP: Receive, Log, Assign
County: St. Louis	Received: 6/28/2006
Project#: AP200606094	
Company: Thermal Science Inc	Description: Tanks
Location: 2200 Cassens Dr	Permit Type: AP: Local CP
City: Fenton	Status: AP: Receive, Log, Assign
County: St. Louis	Received: 6/28/2006
Project#: AP200606095	
Company: Commercial Letter Inc	Description: Printing Presses
Location: 725 N 23rd St	Permit Type: AP: Local CP
City: St. Louis	Status: AP: Awaiting Completeness Check
County: St. Louis City	Received: 6/27/2006
Project#: AP200606089	
Company: Defense Mapping Agency	Description:
Location: 3200 South 2nd Street	Permit Type: AOP: Intermediate Operating Permit Amendm
City: St. Louis	Status: AP: Receive, Log, Assign
County: St. Louis City	Received: 6/5/2006
Project#: AP200606017	
Company: ICL Performance Products LP	Description: Loading system
Location: 8201 IDAHO AVE	Permit Type: AP: Local CP
City: St. Louis	Status: AP: Receive, Log, Assign
County: St. Louis City	Received: 6/15/2006
Project#: AP200606052	
Company: National Graphics	Description: Terminate OP
Location: 2711 MIAMI ST	Permit Type: AOP: Part 70 Operating Permit Admin. Amend
City: St. Louis	Status: AP: Technical Review
County: St. Louis City	Received: 6/9/2006
Project#: AP200606040	

Company: Procter & Gamble	Description:
Location: 169 E Grand	Permit Type: AOP: Basic Operating Permit Off-Permit Chan
City: St. Louis	Status: AP: Receive, Log, Assign
County: St. Louis City	Received: 6/5/2006
Project#: AP200606018	
Company: W. W. Wood Products, Inc.	Description: Throughput Tracking
Location: 10331 Stanley Street	Permit Type: AP: Applicability Determination Request
City: Dudley	Status: AP: Receive, Log, Assign
County: Stoddard	Received: 6/19/2006
Project#: AP200606105	
Company: APAC - Roark Creek Quarry	Description: Asphalt
Location: 1312 Shepherd of the Hill	Permit Type: AP: Sec 4: Relocate to New Site
City: Branson West	Status: AP: Awaiting Completeness Check
County: Taney	Received: 6/22/2006
Project#: AP200606073	
Company: Doss & Harper Stone Co	Description: Rock Crushing
Location: T30N:R09W:S17 MO Hwy 17 South	Permit Type: AP: Sec 4: Relocate Approved Site
City: Houston	Status: AP: Section 4 Permit Issued
County: Texas	Received: 6/7/2006
Project#: AP200606028	
Company: Prairie Pride Inc	Description: Biodiesel
Location: Hwy T	Permit Type: AP: Sec 5 & 6: Deminimis and Minor
City: Eve	Status: AP: Technical Review
County: Vernon	Received: 6/5/2006
Project#: AP200606027	
Company: Apple Cabinets Inc	Description: Wood Cabinets
Location: 623 W Clinton	Permit Type: AP: Sec 5 & 6: Deminimis and Minor
City: Seymour	Status: AP: Technical Review
County: Webster	Received: 6/12/2006
Project#: AP200606041	



Missouri Department of Natural Resources
Division of Environmental Quality
Air Pollution Control Program

**PERMIT APPLICATIONS
COMPLETED**

	Construction Permits	Operating Permits	Total
January	44	13	57
February	55	26	81
March	40	30	70
April	42	12	54
May	53	38	91
June	39	8	47
Total	273	127	400

Department of Natural Resources

Division of Environmental Quality

Permits Management System

Air Pollution Control Program

Company: Arch Enterprises	Received 5/15/2006	Completed 6/30/2006	Permit #	Days Used 46
Location: One Arch Dr	Description: Metal Furnaces			
City: Mexico	Permit Type: AP: Applicability Determination Request			
County: Audrain	Status: AP: No Permit Required			
Project#: AP200605042				
Company: TEVA Pharmaceuticals USA	Received 5/16/2006	Completed 6/14/2006	Permit #	Days Used 29
Location: 5000 Christopher Drive	Description: Batching changes			
City: Mexico	Permit Type: AP: Applicability Determination Request			
County: Audrain	Status: AP: No Permit Required			
Project#: AP200605048				
Company: MFA Agri-Service - Centralia	Received 4/11/2006	Completed 6/15/2006	Permit #	Days Used 65
Location: 202 N. Jefferson	Description: Replace Bins			
City: Centralia	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
County: Boone	Status: AP: No Permit Required			
Project#: AP200604038				
Company: Aquila Inc. (Lake Road Station)	Received 3/13/2006	Completed 6/2/2006	Permit # 062006-001	Days Used 81
Location: 1413 Lower Lake Road	Description: Add gas or fuel oil boiler			
City: St. Joseph	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
County: Buchanan	Status: AP: Section 5 Permit Issued			
Project#: AP200603053				
Company: Bartlett & Co. Grain Elevator	Received 5/9/2006	Completed 6/27/2006	Permit # 062003-003a	Days Used 49
Location: 506 West Lake Blvd	Description: Add baghouses			
City: St. Joseph	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
County: Buchanan	Status: AP: Amendment Approved			
Project#: AP200605031				
Company: Johnson Controls Battery Group	Received 1/27/2006	Completed 6/13/2006	Permit # 062006-008	Days Used 137
Location: 4722 Pear Street	Description: To modify the existing lead-acid battery manu			
City: St. Joseph	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
County: Buchanan	Status: AP: Section 5 Permit Issued			
Project#: AP200601095				
Company: Lake Ozark Sand & Gravel-Odey	Received 1/25/2006	Completed 6/7/2006	Permit # 062006-005	Days Used 133
Location: T38N:R14W:S24:NE Boot Rd	Description: Amend for colocation, production - electrosu			
City: Brumley	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
County: Camden	Status: AP: Section 5 Permit Issued			
Project#: AP200601090				
Company: Lake Ozark Sand & Gravel-Odey	Received 6/16/2006	Completed 6/19/2006	Permit # 062006-006	Days Used 3
Location: T38N:R14W:S24:NE Boot Rd	Description: CEC Screen			
City: Brumley	Permit Type: AP: Sec 4: Relocate Approved Site			
County: Camden	Status: AP: Section 4 Permit Issued			
Project#: AP200606054				
Company: Brunswick River Terminal, Inc	Received 11/18/2002	Completed 6/15/2006	Permit # OP2006-032	Days Used 1305
Location: US Hwy 24 West	Description: Fertilizer			
City: Brunswick	Permit Type: AOP: Intermediate Operating Permit			
County: Carroll	Status: AP: Operating Permit Issued			
Project#: AP200211168				

Company: Ray-Carroll Carrollton Facility	Received 3/20/2006	Completed 6/26/2006	Permit #	Days Used 98
Location: Hwy 24 East	Description: Temporary Grain storage			
City: Carrollton	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
County: Carroll	Status: AP: No Permit Required			
Project#: AP200603079				
Company: Capital Quarries - Hiwy 60	Received 6/2/2006	Completed 6/13/2006	Permit #	Days Used 11
Location: T26N:R01W:S06	Description: Rock Crushing			
City: Van Buren	Permit Type: AP: Sec 4: Relocate to New Site			
County: Carter	Status: AP: Section 4 Permit Issued			
Project#: AP200606024				
Company: Limpus Quarries Inc	Received 5/24/2006	Completed 6/13/2006	Permit # 032006-003	Days Used 20
Location: South Little Rd	Description: Rock Crushing			
City: Garden City	Permit Type: AP: Sec 4: Relocate to New Site			
County: Cass	Status: AP: Section 4 Permit Issued			
Project#: AP200605067				
Company: MEP Pleasant Hill, LLC	Received 2/25/2005	Completed 6/19/2006	Permit # OP	Days Used 479
Location: 25111 E 175th	Description: Power Plant			
City: Pleasant Hill	Permit Type: AOP: Phase II Acid Rain Permit Renewal			
County: Cass	Status: AP: Acid Rain Permit Issued			
Project#: AP200502103				
Company: Asphalt Products Inc	Received 2/2/2006	Completed 6/9/2006	Permit # 062006-007	Days Used 127
Location: 2229 Christy Drive	Description: Asphalt-new portable			
City: Jefferson City	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
County: Cole	Status: AP: Section 5 Permit Issued			
Project#: AP200602020				
Company: Capital Sand	Received 3/2/2006	Completed 6/15/2006	Permit # 1197-018	Days Used 105
Location: County Hwy W	Description: Portable to stationary			
City: Jefferson City	Permit Type: AP: IR Corrections & Amendments			
County: Cole	Status: AP: Amendment Approved			
Project#: AP200603005				
Company: Capital Sand	Received 3/2/2006	Completed 6/14/2006	Permit # 0598-020	Days Used 104
Location: County Hwy W	Description: Portable to stationary			
City: Jefferson City	Permit Type: AP: IR Corrections & Amendments			
County: Cole	Status: AP: Amendment Approved			
Project#: AP200603004				
Company: Pilot Grove Coop Elevator	Received 4/24/2006	Completed 6/26/2006	Permit #	Days Used 63
Location: 12302 MO Hwy 135 South	Description: Grain Bin, leg			
City: Pilot Grove	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
County: Cooper	Status: AP: No Permit Required			
Project#: AP200604067				
Company: Breckenridge Materials	Received 2/6/2006	Completed 6/28/2006	Permit # 062006-018	Days Used 142
Location: 10895 N. Service Road	Description: Increase production - add controls			
City: Sullivan	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
County: Crawford	Status: AP: Section 5 Permit Issued			
Project#: AP200602024				
Company: Crystal Extrusion Systems	Received 3/6/2006	Completed 6/14/2006	Permit #	Days Used 100
Location: 704 W PARK RD	Description: Replace solvent painting with powder coating			
City: Union	Permit Type: AP: Applicability Determination Request			
County: Franklin	Status: AP: No Permit Required			
Project#: AP200604021				

Company: C.B. Asphalt - Owensville	Received	Completed	Permit #	Days Used
Location: Hwy Y	5/11/2006	6/8/2006	0795-026	28
City: Owensville	Description: Asphalt			
County: Gasconade	Permit Type: AP: Sec 4: Relocate to New Site			
Project#: AP200605029	Status: AP: Section 4 Permit Issued			
Company: Norris Asphalt Paving	Received	Completed	Permit #	Days Used
Location: 29365 Outer Rd	5/5/2006	6/26/2006	1299-004	52
City: Bethany	Description: Amend for colocation			
County: Harrison	Permit Type: AP: IR Corrections & Amendments			
Project#: AP200605016	Status: AP: Amendment Approved			
Company: Mountain View Fabricating	Received	Completed	Permit #	Days Used
Location: 1315 E US Hwy 60	3/8/2006	6/26/2006		110
City: Mountain View	Description: Vending Machine Refurbishment			
County: Howell	Permit Type: AP: Applicability Determination Request			
Project#: AP200603028	Status: AP: No Permit Required			
Company: Burd & Fletcher - Independence Plant # 1	Received	Completed	Permit #	Days Used
Location: 5151 Geospace Drive	5/26/2006	6/29/2006		34
City: Independence	Description: Replace press			
County: Jackson	Permit Type: AP: Applicability Determination Request			
Project#: AP200605070	Status: AP: No Permit Required			
Company: LaFarge Corporation - Sugar Creek	Received	Completed	Permit #	Days Used
Location: 4201 N RIVER BLVD	9/19/2005	6/2/2006	062006-002	256
City: Sugar Creek	Description: Kiln Dust Loading			
County: Jackson	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
Project#: AP200509045	Status: AP: Section 5 Permit Issued			
Company: LaFarge North America	Received	Completed	Permit #	Days Used
Location: 16400 E KENTUCKY RD	3/27/2006	6/20/2006	062006-011	85
City: Independence	Description: Add BMPs to site-electrosub			
County: Jackson	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
Project#: AP200603093	Status: AP: Section 5 Permit Issued			
Company: Magellan Pipeline Co-Carthage	Received	Completed	Permit #	Days Used
Location: 18195 County Rd 138	6/6/2006	6/26/2006		20
City: Jasper	Description: Ethanol Loading			
County: Jasper	Permit Type: AP: Applicability Determination Request			
Project#: AP200606021	Status: AP: Permit Required			
Company: River Cement Company	Received	Completed	Permit #	Days Used
Location: 1000 River Cement Rd	3/23/2006	6/14/2006		83
City: Festus	Description: Fly Ash Silo			
County: Jefferson	Permit Type: AP: Applicability Determination Request			
Project#: AP200603100	Status: AP: No Permit Required			
Company: Hilty Quarries, Inc	Received	Completed	Permit #	Days Used
Location: 407 SW Hwy 13	11/14/2005	6/14/2006	052005-016	212
City: Warrensburg	Description: Amend Record-Keeping			
County: Johnson	Permit Type: AP: IR Corrections & Amendments			
Project#: AP200511040	Status: AP: Application Withdrawn by Applicant			
Company: Generation III Boats	Received	Completed	Permit #	Days Used
Location: 901 COWAN DR	4/1/2004	6/1/2006		791
City: Lebanon	Description: Camo Paint Line			
County: Laclede	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
Project#: AP200404006	Status: AP: Closed Out Inappropriate Request			

Company: C.B. Asphalt at Kimmaterials	Received	Completed	Permit #	Days Used
Location: 1876 S MO Hwy 79	5/30/2006	6/13/2006	0896-008	14
City: Old Monroe	Description: Asphalt			
County: Lincoln	Permit Type: AP: Sec 4: Relocate to New Site			
Project#: AP200606001	Status: AP: Section 4 Permit Issued			
Company: Donaldson Co., Inc.-	Received	Completed	Permit #	Days Used
Location: 400 Donaldson Drive	5/25/2006	6/13/2006	OP	19
City: Chillicothe	Description: Terminate P70			
County: Livingston	Permit Type: AOP: Part 70 Operating Permit Admin. Amen			
Project#: AP200605066	Status: AP: Amendment Approved			
Company: Animal Care Clinic	Received	Completed	Permit #	Days Used
Location: 17765 MO Hwy 42 E	4/14/2006	6/26/2006	062006-014	73
City: Belle	Description: Animal Incinerator			
County: Maries	Permit Type: AP: Sec 5 & 6: Dminimis and Minor			
Project#: AP200604050	Status: AP: Section 5 Permit Issued			
Company: Dredging, Inc	Received	Completed	Permit #	Days Used
Location: 13 Hwy V	3/27/2006	6/13/2006	062006-009	78
City: Osage Beach	Description: Add BMPs			
County: Miller	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
Project#: AP200603094	Status: AP: Section 5 Permit Issued			
Company: Lake Ozark Sand and Gravel	Received	Completed	Permit #	Days Used
Location: 14 County Hwy V	1/25/2006	6/9/2006	062006-006	135
City: Bagnell	Description: Portable screen - new site			
County: Miller	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
Project#: AP200601091	Status: AP: Section 5 Permit Issued			
Company: Lake Ozark Sand and Gravel	Received	Completed	Permit #	Days Used
Location: 14 County Hwy V	1/25/2006	6/7/2006	062006-004	133
City: Bagnell	Description: Amend for production, colocation - electrosu			
County: Miller	Permit Type: AP: IR Sec 5 & 6: Dminimis and Minor			
Project#: AP200601088	Status: AP: Section 5 Permit Issued			
Company: Lake Ozark Sand and Gravel	Received	Completed	Permit #	Days Used
Location: 14 County Hwy V	6/16/2006	6/19/2006	062006-005	3
City: Bagnell	Description: Pep Screen			
County: Miller	Permit Type: AP: Sec 4: Relocate Approved Site			
Project#: AP200606053	Status: AP: Section 4 Permit Issued			
Company: Lake Ozark Sand and Gravel	Received	Completed	Permit #	Days Used
Location: 14 County Hwy V	6/19/2006	6/20/2006	062006-004	1
City: Bagnell	Description: Rock Crushing			
County: Miller	Permit Type: AP: Sec 4: Relocate Approved Site			
Project#: AP200606056	Status: AP: Section 4 Permit Issued			
Company: Talbot Industries	Received	Completed	Permit #	Days Used
Location: 1211 W HARMONY ST	6/18/2003	6/21/2006	OP	1099
City: Neosho	Description: Remove Cr Electroplating			
County: Newton	Permit Type: AOP: Basic Operating Permit Amendment			
Project#: AP200306065	Status: AP: Amendment Approved			
Company: Norris Asphalt Paving Co - Gooden	Received	Completed	Permit #	Days Used
Location: MO Hwy 46 N	5/22/2006	6/9/2006		18
City: Ravenwood	Description: Amend initial Site			
County: Nodaway	Permit Type: AP: IR Corrections & Amendments			
Project#: AP200605071	Status: AP: Closed out, per policy			

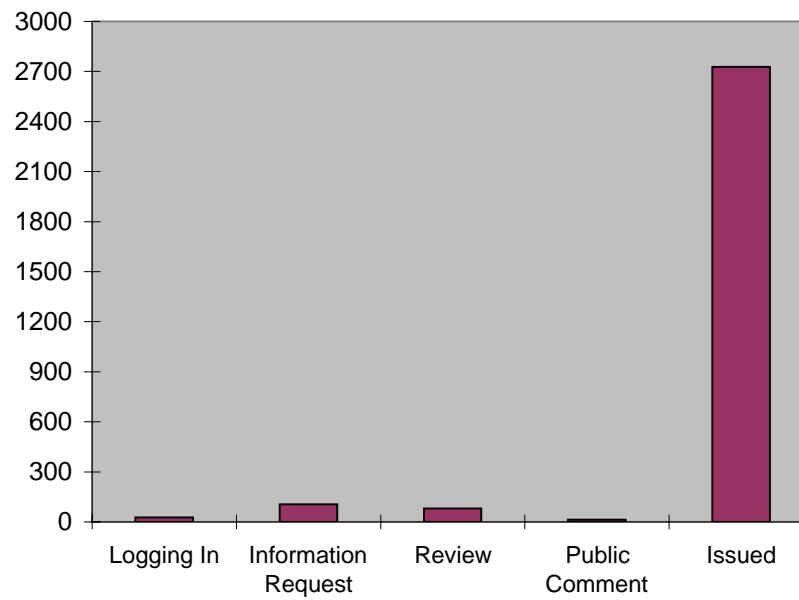
Company: Lake Asphalt at Mid-Missouri Lime	Received	Completed	Permit #	Days Used
Location: T48N:R21W:S32:NE:NE	5/4/2006	6/22/2006	062006-012	49
City: Houstonia	Description:	New portable Asphalt-electrosub		
County: Pettis	Permit Type:	AP: IR Sec 5 & 6: Dminimis and Minor		
Project#: AP200605019	Status:	AP: Section 5 Permit Issued		
Company: Tyson Foods-Chicken	Received	Completed	Permit #	Days Used
Location: 19571 WHITFIELD RD	3/9/2006	6/15/2006		98
City: SEDALIA	Description:	Grinding and screening units		
County: Pettis	Permit Type:	AP: Sec 5 & 6: Dminimis and Minor		
Project#: AP200603044	Status:	AP: Closed out, per policy		
Company: Tyson Foods-Chicken	Received	Completed	Permit #	Days Used
Location: 19571 WHITFIELD RD	3/9/2006	6/16/2006	062006-010	99
City: SEDALIA	Description:	Boiler, fryer and oven		
County: Pettis	Permit Type:	AP: Sec 5 & 6: Dminimis and Minor		
Project#: AP200603043	Status:	AP: Section 5 Permit Issued		
Company: Holcim (US) Inc.	Received	Completed	Permit #	Days Used
Location: 14744 MO Hwy 79 N	5/17/2006	6/14/2006		28
City: Clarksville	Description:	Coal Mill Classifier		
County: Pike	Permit Type:	AP: Applicability Determination Request		
Project#: AP200605052	Status:	AP: No Permit Required		
Company: Holcim (US) Inc.	Received	Completed	Permit #	Days Used
Location: 14744 MO Hwy 79 N	6/20/2006	6/30/2006		10
City: Clarksville	Description:	Temporary Crusher		
County: Pike	Permit Type:	AP: Applicability Determination Request		
Project#: AP200606067	Status:	AP: No Permit Required		
Company: Hunt Martin Materials	Received	Completed	Permit #	Days Used
Location: 7600 W MO Hwy 9	4/5/2006	6/14/2006		70
City: Parkville	Description:	Screens		
County: Platte	Permit Type:	AP: Applicability Determination Request		
Project#: AP200604013	Status:	AP: No Permit Required		
Company: Kansas City Power & Light (Iatan)	Received	Completed	Permit #	Days Used
Location: 20240 Hwy 45 North	9/8/2004	6/26/2006	OP	656
City: Weston	Description:	Phase II Renewal		
County: Platte	Permit Type:	AOP: Phase II Acid Rain Permit Renewal		
Project#: AP200409022	Status:	AP: Acid Rain Permit Issued		
Company: Source Environmental Sciences, Inc	Received	Completed	Permit #	Days Used
Location: 4100 Westheimer	6/3/2005	6/1/2006		363
City: Houston	Description:	Mobile sewer and pipeline rehabilitation facili		
County: Portable Plant	Permit Type:	AP: Applicability Determination Request		
Project#: AP200506026	Status:	AP: Closed Out, Inactive		
Company: US Army Engineer Center & Ft. Leonard Wo	Received	Completed	Permit #	Days Used
Location: 1334 1ST ST	10/17/2005	6/26/2006	082002-024B	252
City: Fort Leonard Wood	Description:	Reporting Requirements		
County: Pulaski	Permit Type:	AP: Corrections & Amendments		
Project#: AP200510039	Status:	AP: Amendment Approved		
Company: Renewable Power of Missouri LLC	Received	Completed	Permit #	Days Used
Location: 3055 West Arrow	2/7/2006	6/27/2006	062006-016	140
City: Marshall	Description:	Increase Production		
County: Saline	Permit Type:	AP: Sec 5 & 6: Dminimis and Minor		
Project#: AP200602029	Status:	AP: Section 5 Permit Issued		

Company: AFB International	Received 5/9/2006	Completed 6/14/2006	Permit #	Days Used 36
Location: 937 Lone Star Drive	Description: Fat storage tank			
City: O'Fallon	Permit Type: AP: Applicability Determination Request			
County: St. Charles	Status: AP: No Permit Required			
Project#: AP200605034				
Company: Component Bar Products	Received 5/30/2006	Completed 6/20/2006	Permit # OP2002-006A	Days Used 21
Location: 3858 CORPORATE CENTRE DR	Description: Terminate OP			
City: St. Charles	Permit Type: AOP: Part 70 Operating Permit Admin. Amen			
County: St. Charles	Status: AP: Amendment Approved			
Project#: AP200605080				
Company: Leo Journagan at Ash Grove Dever	Received 6/12/2006	Completed 6/26/2006	Permit # 092005-002	Days Used 14
Location: Hwy EE	Description: Asphalt - electrosb - BMP			
City: El Dorado Springs	Permit Type: AP: Sec 4: Relocate to New Site			
County: St. Clair	Status: AP: Section 4 Permit Issued			
Project#: AP200606050				
Company: Sigma - Aldrich Chemical Co	Received 1/17/2002	Completed 6/20/2006	Permit # OP	Days Used 1615
Location: 3500 DEKALB ST	Description: Combine Ops (510-0697 and 510-1396)			
City: St. Louis	Permit Type: AOP: Part 70 Operating Permit			
County: St. Louis City	Status: AP: Operating Permit Issued			
Project#: AP200201062				
Company: Nestle Purina PetCare	Received 3/1/2006	Completed 6/14/2006	Permit #	Days Used 105
Location: 22450 COUNTY HIGHWAY Y	Description: Pin Mixer Project			
City: Bloomfield	Permit Type: AP: Sec 5 & 6: Deminimis and Minor			
County: Stoddard	Status: AP: No Permit Required			
Project#: AP200603006				
Company: Doss & Harper Stone Co	Received 6/7/2006	Completed 6/9/2006	Permit # 092005-020	Days Used 2
Location: T30N:R09W:S17 MO Hwy 17 South	Description: Rock Crushing			
City: Houston	Permit Type: AP: Sec 4: Relocate Approved Site			
County: Texas	Status: AP: Section 4 Permit Issued			
Project#: AP200606028				
Company: South Central Correctional Center	Received 1/5/2006	Completed 6/7/2006	Permit # 062006-003	Days Used 153
Location: 255 W Hwy 32	Description: Furniture Operation			
City: Licking	Permit Type: AP: Sec 5 & 6: Deminimis and Minor			
County: Texas	Status: AP: Section 5 Permit Issued			
Project#: AP200601006				
Company: South Central Correctional Center	Received 1/9/2006	Completed 6/26/2006	Permit # 062006-015	Days Used 168
Location: 255 W Hwy 32	Description: Substitute LP gas for boilers			
City: Licking	Permit Type: AP: Sec 5 & 6: Deminimis and Minor			
County: Texas	Status: AP: Section 5 Permit Issued			
Project#: AP200601021				
Company: Truesdale Packaging	Received 3/13/2006	Completed 6/14/2006	Permit #	Days Used 93
Location: 1410 E Veterans Memorial Pkwy	Description: Two 600 Hp Boilers			
City: Warrenton	Permit Type: AP: Applicability Determination Request			
County: Warren	Status: AP: No Permit Required			
Project#: AP200603054				
Company: Brown Sand & Gravel Inc - Lodi Mine	Received 3/13/2006	Completed 6/27/2006	Permit # 062006-017	Days Used 106
Location: US Hwy 67 S	Description: Rock Crushing - electrosb - BMPs			
City: Lodi	Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor			
County: Wayne	Status: AP: Section 5 Permit Issued			
Project#: AP200603060				

Company:	York Casket - Missouri	Received	Completed	Permit #	Days Used
Location:	197 George Street	6/22/2004	6/1/2006	OP2006-030	709
City:	Marshfield	Description:	Caskets		
County:	Webster	Permit Type:	AOP: Part 70 Operating Permit Renewal		
Project#:	AP200406072	Status:	AP: Operating Permit Issued		

Operating Permit Progress Report as of 07-05-2006

		Permit Log In	Info Requests	APCP Review	Public Review	Issued	Total
Applicability Determination Requests	Subtotal	3	16	5	0	360	384
	% of total	1%	4%	1%	0%	94%	13%
Basic Permits	Subtotal	8	22	21	0	894	945
	% of total	1%	2%	2%	0%	95%	32%
Intermediate Permits	Subtotal	2	5	7	6	325	345
	% of total	1%	1%	2%	2%	94%	12%
Part 70 Permits	Subtotal	0	8	16	2	452	478
	% of total	0%	2%	3%	0%	95%	16%
Phase II Acid Rain Permits	Subtotal	0	1	0	0	50	51
	% of total	0%	2%	0%	0%	98%	2%
Local Permits	Subtotal	0	0	0	0	205	205
	% of total	0%	0%	0%	0%	100%	7%
Permit Modifications	Subtotal	14	54	31	5	442	546
	% of total	3%	10%	6%	1%	81%	18%
All Permits	Total	27	106	80	13	2728	2954
	% of total	1%	4%	3%	0%	92%	



Status of Ethanol Plants permitted by the Air Pollution Control Program (APCP) as of July 5, 2006

Installation Name	City/County	Production Capacity (Million Gallons)	Operating Status
Northeast Missouri Grain	Macon/Macon	50	Operating
Golden Triangle	Craig/Holt	22	Operating
Mid-Missouri Energy	Malta Bend/Saline	45	Operating
Missouri Ethanol	Ladonia/Audrain	56	Under construction
Renewable Power of Missouri	Marshall/Saline	50	Not commenced construction. The APCP issued a construction permit in July 2002, granted an extension of this permit in April 2005 and issued a permit modification, increasing production from 31.5 to 50 Mgal in June 2006. Renewable has until June 2008 to commence construction under this permit.
Bootheel Ethanol (SEMO)	Malden/Dunklin	15	Not commenced construction. The APCP issued a construction permit in August 2001, granted an extension of this permit in February 2004 and issued a permit modification, with corrected special conditions in January 2005. Bootheel has until January 2007 to commence construction under this permit.
Renewable Power of Missouri	Cape Girardeau/Cape Girardeau	52.7	Not commenced construction. The APCP issued a construction permit in December 2003 and granted a one year extension of this permit in December 2005. Renewable has until December 2006 to commence construction under this permit.
Lifeline Foods, LLC	St. Joseph/Buchanan	50	The APCP received a construction permit application on January 30, 2006. The APCP is working with the company to complete the required air quality modeling analyses to consider the application complete.
Bootheel Agri-Energy LLC	Sikeston/Scott	120	The APCP received a construction permit application on May 2, 2006. The APCP is working with the company to complete the required air quality modeling analyses and other technical information to consider the application complete.

Note: In addition to the ethanol plants listed above, the APCP has participated in several pre-application meetings/conference calls regarding additional proposed ethanol plants. The APCP will include details of these installations when applications are received.

The APCP strongly encourages pre-application meetings for all ethanol plants.

Status of Biodiesel Plants permitted by the Air Pollution Control Program (APCP) as of July 5, 2006

Installation Name	City/County	Production Capacity (Million Gallons)	Operating Status
Archer Daniels Midland	Mexico/Audrain	36	Not commenced construction. Received construction permit March 22, 2006.
Missouri Bio-Fuels	Bethel/Shelby	2	Operating - no air permits needed due to level of emissions
Eviron MX	Alexandria/Clark	0.365	Operating status unknown. Due to level of emissions, no construction or operating permit is required from the APCP for the operation of this facility.
Global Fuels	Dexter/Stoddard	3	Not commenced construction. APCP is evaluating a permit determination. Due to level of emissions, this facility may not need a construction or operating permit from the APCP.
Ag Processing	St. Joseph/Buchanan	50	The APCP received a construction permit application on March 23, 2006. The APCP is currently reviewing this application.
Prairie Pride, Incorporated	Eve/Vernon	33	The APCP received a construction permit application on June 5, 2006. The APCP is currently reviewing this application. The APCP issued a pre-construction waiver on June 29, 2006. This waiver allows for the construction, but not operation, of the proposed facility prior to the receipt of the air permit.

Note : There are other biodiesels operations in the state. However, the facilities listed above are the only facilities that have submitted air permit projects to the APCP. Depending on the size of operations, biodiesels plants may not need air permits. Therefore, the APCP would not necessarily have any information on these facilities in our databases.

RULE AND SIP AGENDA

**July 20, 2006
St. Louis, MO**

ACTIONS FOR PUBLIC HEARING:

*** 10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources**

The purpose of this rule is to protect the air quality in the St. Louis area by addressing NO_x sources proposed for construction outside and upwind of the St. Louis ozone nonattainment area. The rule limits NO_x emissions of sources around the St. Louis ozone nonattainment area to what the department considers an acceptable level, while providing a more transparent and predictable regulatory process for sources seeking permits.

*** 10 CSR 10-6.070 New Source Performance Regulations**

This amendment incorporates by reference 40 CFR part 60 subparts amended between January 1, 2003 and June 30, 2004. This year's amendment update includes amendments to previously adopted subparts in the following source categories:

Hospital/Medical/Infectious Waste Incinerators, Volatile Organic Liquid Storage Vessels, and Bulk Gasoline Terminals. These updates will be explained in detail during the public hearing.

Additionally, titles of all subparts have been updated to reflect the federal titles and a reference note has been added regarding operating permit requirements that also may be applicable.

*** 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations**

This amendment adopts by reference 18 new 40 CFR part 63 subparts finalized between January 1, 2003 and June 30, 2004. New subparts include the following source categories: Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production; Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations; Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline); Hazardous Air Pollutants for Miscellaneous Organic Chemical Manufacturing; Hazardous Air Pollutants for Surface Coating of Automobiles and Light-Duty Trucks; Hazardous Air Pollutants for Surface Coating of Metal Cans; Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products; Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products; Hazardous Air Pollutants for Stationary Combustion Turbines; Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; Hazardous Air Pollutants for Lime Manufacturing Plants; Hazardous Air Pollutants for Iron and Steel Foundries; Hazardous Air Pollutants for Site Remediation; Hazardous Air Pollutants for Miscellaneous Coating Manufacturing; Hazardous Air Pollutants for Mercury Emissions From Mercury Cell Chlor-Alkali Plants; Hazardous Air Pollutants for Taconite Iron Ore Processing; Hazardous Air Pollutants for

Refractory Products Manufacturing; and Hazardous Air Pollutants for Primary Magnesium Refining.

Additionally, this amendment updates previously adopted subparts in the following source categories: Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations); Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills; Generic Maximum Achievable Control Technology Standards; and Hazardous Air Pollutants for Engine Test Cells/Standards. These updates will be explained in detail during the public hearing.

Finally, the subpart for Asphalt Processing and Roofing Manufacturing has been corrected.

* 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants

This amendment updates 40 CFR part 61 subparts finalized between January 1, 2003 and June 30, 2004 previously adopted by reference. This includes direct final amendments to the Hazardous Air Pollutants for Asbestos and Benzene Waste Operations source categories. These amendments will be explained in greater detail during the public hearing.

In addition, a reference note has been added regarding operating permit requirements that also may be applicable.

* 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information

This proposed amendment will establish the emission fee for Missouri facilities as required annually by 643.070 and 643.079, RSMo. The air emission fee for calendar year 2006 is proposed to remain at \$34.50 per ton of regulated air pollutant.

This proposed amendment will also change April 1 due dates for emission fees and emission inventory questionnaires for April 1 Standard Industrial Classifications to June 1 so all Classifications have the same due date and change the emission calendar year from 2005 to 2006.

ACTIONS TO BE VOTED ON:

* 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning

This rule specifies equipment, operating procedures, and training requirements for the reduction of volatile organic compound emissions from solvent metal cleaning operations in the St. Louis metropolitan area. This proposed rule amendment addresses industry concerns about provisions in the current rule related to enforcement and compliance. This amendment clarifies the rule by consolidating exemptions in the applicability section, adding new exemptions (such as hand cleaning/wiping and flush cleaning operations), adding definitions of new and previously undefined terms, and clarifying rule language regarding operating procedure requirements for spray gun cleaners and air-tight and airless cleaning systems.

August 31, 2006
Jefferson City, MO

ACTIONS FOR PUBLIC HEARING:

(None Scheduled)

ACTIONS TO BE VOTED ON:

- * 10 CSR 10-6.345 Control of NOx Emissions From Upwind Sources

The purpose of this rule is to protect the air quality in the St. Louis area by addressing NOx sources proposed for construction outside and upwind of the St. Louis ozone nonattainment area. The rule limits NOx emissions of sources around the St. Louis ozone nonattainment area to what the department considers an acceptable level, while providing a more transparent and predictable regulatory process for sources seeking permits.

- * 10 CSR 10-6.070 New Source Performance Regulations

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This proposed amendment will also change April 1 due dates for emission fees and emission inventory questionnaires for April 1 Standard Industrial Classifications to June 1 so all Classifications

PUBLIC HEARING ON

PROPOSED RULE

10 CSR 10-6.345

CONTROL OF NOX EMISSIONS FROM UPWIND SOURCES

This new rule protects the air quality in the St. Louis area by addressing nitrogen oxides (NO_x) sources proposed for construction outside and upwind of the St. Louis nonattainment area. The rule limits NO_x emissions of sources around the St. Louis nonattainment area to what the department considers an acceptable level, while providing a more transparent and predictable regulatory process for sources seeking permits.

NOTE - All unshaded text below this line is printed in the Missouri Register.

**Title 10 - DEPARTMENT OF
NATURAL RESOURCES**

Division 10 - Air Conservation Commission

**Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED RULE

10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources. If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for inclusion in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/regagenda.htm.

PURPOSE: The purpose of this rule is to protect the air quality in the St. Louis area by addressing NO_x sources proposed for construction outside and upwind of the St. Louis nonattainment area. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is a March 25, 2004 Resolution by the Missouri Air Conservation Commission directing staff to develop this rule.

- (1) Applicability.
 - (A) This rule shall apply to new emission sources or modifications in Perry, St. Genevieve, St. Francois, Washington, and Warren Counties that trigger Prevention of Significant Deterioration (PSD) review for nitrogen oxides (NO_x);

- (B) This rule shall apply to sources with a project-specific net emissions increase greater than nine hundred (900) tons of NO_x during ozone season; and
 - (C) This rule will expire five (5) years from the effective date.
- (2) Definitions.
- (A) Baseline emission inventory—The most current approved emission inventory for the state of Missouri that has been utilized in developing the State Implementation Plan (SIP), including attainment demonstration modeling, for the St. Louis ozone nonattainment area calculated on a tons per ozone season basis.
 - (B) Ozone season—From May 1 through September 30 of each year.
 - (C) Project-specific net emissions increase—The difference between permitted emissions to be emitted by the project that triggered PSD review and the baseline emission inventory for the applicable project.
 - (D) Supplemental Emission Reductions (SERs) —Equals Potential to Emit minus Best Achievable Control Technology (BACT) controls minus emission offsets minus credits minus nine hundred (900) tons per ozone season.
 - (E) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020.
- (3) General Provisions.
- (A) Sources that meet the applicability requirements of subsections (1)(A) and (1)(B) of this rule shall meet either the following requirements or the requirements of subsection (3)(B) of this rule. The source shall apply one (1) or more of the following emission reduction strategies sufficient to ensure that the overall emission increase for NO_x does not exceed nine hundred (900) tons during the St. Louis ozone season:
 - 1. The source applies beyond-BACT emission controls to the PSD emission unit and/or accepts ozone-season operating limitations on the unit.
 - 2. The source obtains 1:1 emission offsets for NO_x emissions, under the Missouri emission banking and trading rule 10 CSR 10-6.410.
 - 3. The source satisfies the requirements of subsection (3)(A) of this rule by being subject to a NO_x cap and trade program where the total NO_x tons emitted by all affected sources in the program is capped on an ozone season or annual basis and meets the following requirements:
 - A. The newly constructed source is in full compliance with the NO_x cap and trade program; and
 - B. The actual NO_x tons emitted during the ozone season in excess of nine hundred (900) tons required for compliance with the NO_x cap and trade program is acquired from sources subject to the NO_x cap and trade program located in the St. Louis eight (8)-hour ozone nonattainment area or located in the same county as the source.
 - 4. The source obtains SERs. Capital funds for SER projects must be expended by the permittee, or transferred to a third party trustee under contract to complete SER work, prior to operational startup of the new or modified emission unit that required PSD review.
 - A. The minimum required SER is calculated as follows:

- (I) Determine the overall ozone season NO_x emissions considering any emission controls, offsets, and credits from paragraphs (3)(A)1.–(3)(A)3. of this rule; and
 - (II) Subtract nine hundred (900) tons.
- B. In order to be approved, the SER measure must provide emission reductions that meet the criteria requirements described below—
 - (I) Quantifiable – Emission reductions must be calculated for the time period for which the reductions will be used. The applicant must provide a detailed estimate of the amount and type of emissions that will be reduced, and a clear methodology as approved by the staff director for how the estimates were derived. The estimate must be based on U.S. Environmental Protection Agency (EPA) guidance if available, or best available scientific information;
 - (II) Surplus – Emission reductions are surplus as long as they are not otherwise relied on to meet other applicable air quality attainment and maintenance requirements. In addition, to be considered surplus the emissions from control measures must be a part of the State Implementation Plan emission inventory;
 - (III) Federally enforceable – Control measures to reduce emissions must be enforceable through a permit issued under a SIP approved permitting program, or must meet enforceability requirements of EPA guidance for mobile source voluntary measures or stationary source emerging and voluntary measures; and
 - (IV) Permanent – The emission reductions must be permanent throughout the term that the emission reduction is used.
- C. To qualify for SER credit for the retrofit of mobile source and nonroad equipment that operate primarily within the same county, or within the St. Louis ozone nonattainment area, the source must ensure the retrofit meets the following requirements:
 - (I) On-road equipment must not be greater than ten (10) years old at the time of retrofit;
 - (II) Retrofit of equipment with engines manufactured in year 2007 or later do not qualify for SER credit;
 - (III) If such equipment is not owned by the PSD permittee, the equipment owner must contractually agree to accept and maintain the retrofit equipment until the mobile source or equipment is sold or scrapped, and to meet part (3)(A)4.C.(V) of this rule.
 - (IV) These retrofit controls must be designed to reduce NO_x and hydrocarbon emissions, though they may also control other pollutants; and

- (V) When retrofitted mobile equipment is sold or scrapped, any replacement units must meet NO_x and hydrocarbon emission rates at least as stringent as the retrofitted units.
- D. The following mobile and nonroad retrofit equipment and replacement units are approved for SER credit, subject to subparagraph (3)(A)4.C. of this rule, if applicable:
 - (I) Retrofit with oxidation catalyst;
 - (II) Conversion of gasoline or diesel engines to use exclusively natural gas, liquefied petroleum gas, propane, or hydrogen;
 - (III) Replacement of an engine with an engine that meets California Air Resources Board or post-2007 federal emission requirements for new on-road or nonroad engines at the time of engine replacement;
 - (IV) Replacement of nonroad equipment powered with engines of nineteen (19) kilowatts or less, with equipment that meets federal emission requirements for new equipment of that type at the time of replacement. Equipment replaced must be operable at the time of replacement and rendered incapable of reuse afterwards; and
 - (V) Replacement of portable gasoline containers used primarily within the St. Louis ozone nonattainment area, with portable containers that meet the spill control and permeability requirements of the California Air Resources Board. Portable containers replaced must be rendered incapable of reuse as a container.
- E. The following emission reduction projects may be used to generate SER credit:
 - (I) NO_x emission control equipment purchased with SER funds may be installed on existing stationary emission sources owned by a third party within the same county, or within the St. Louis ozone nonattainment area. Volatile organic compound (VOC) emission control equipment must be installed on existing stationary sources within the St. Louis ozone nonattainment area. The third party owner must contractually agree to accept and maintain the emission control equipment until the emission unit is retired, replaced, or fitted with replacement emission controls. The third party owner must also agree to make the controls federally enforceable. Resulting NO_x or VOC emission reductions must exceed existing emission control levels and those required by any promulgated federal or Missouri rule;
 - (II) Installation of anti-idling support equipment. This equipment includes electrical service and cab heating/air conditioning for heavy duty truck or locomotive idling areas such as switch yards, truck stops, rest stops, and

- loading docks, located in the same county as the PSD emission source or in the St. Louis ozone nonattainment area; or
- (III) Other emission reduction projects approved by the department. An approvable SER project will provide NO_x or VOC emission reductions which would not occur otherwise in a timely manner.
- (B) Sources subject to this rule may conduct regional transport modeling based on an approved protocol and submit the results to the Missouri Department of Natural Resources' Air Pollution Control Program for verification to demonstrate that post-control emissions of ozone precursors (NO_x and VOC) from the new or modified emission source will not raise the predicted ozone level at any critical grid cell in the St. Louis fine-grid modeling domain more than one (1) part per billion (ppb). Critical grid cells are those grid cells in the St. Louis nonattainment area where the maximum daily eight (8)-hour ozone concentration, determined from the control case modeling, is equal to or greater than eighty (80) ppb. Modeled post-control emissions will account for on-site emission levels, and also could account for emission offset reductions obtained at other locations, if identifiable and not already considered in the baseline emission inventory after adjusting for any applicable local, state, or federal control measures. SERs will not be considered in the modeling. Application of the model must meet minimum requirements set forth in written guidance issued by the department. A modeled impact on critical grid cells less than one (1) ppb using the procedures identified in the guidance shall be sufficient to meet this requirement.
- (4) Reporting and Record Keeping. *(Not Applicable)*
- (5) Test Methods. *(Not Applicable)*

AUTHORITY: section 643.050, RSMo 2000. Original rule filed May 15, 2006.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rule will begin at 9:00 a.m., July 20, 2006. The public hearing will be held at the Crowne Plaza-St. Louis Airport, 11228 Lone Eagle Drive, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 27, 2006. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.070**

NEW SOURCE PERFORMANCE REGULATIONS

This proposed amendment will change subsections (1)(A) and (1)(C) and section (3).

Subsection (1)(A) is being amended to update the promulgated date.

New subsection (1)(C) adds language that some affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.

Section (3) subsection titles being updated for clarity.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10 - DEPARTMENT OF
NATURAL RESOURCES**

Division 10 - Air Conservation Commission

**Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.070 New Source Performance Regulations. The commission proposes to amend subsection (1)(A), add new subsection (1)(C), renumber original subsection (1)(C) and amend section (3). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information

concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/regagenda.htm.

PURPOSE: This rule establishes acceptable design and performance criteria for specified new or modified emission sources. The purpose of this rulemaking is to amend 10 CSR 10-6.070 to incorporate 40 CFR part 60 subparts promulgated or amended between July 1, 2003 and June 30, 2004 and clarify the applicability section intent. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, are: elements of the State/EPA work plan and Title V Operating Permit Program requirements.

PURPOSE: This rule establishes acceptable design and performance criteria for specified new or modified emission sources.

(1) Applicability.

(A) The provisions of 40 CFR part 60 promulgated **as of June 30, [2003]2004 shall apply** and **are** hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.

(B) Exceptions to the adoption are as follows:

1. Sections 60.4, 60.9 and 60.10 of subpart A;
2. Subpart B in its entirety;
3. Those provisions which are not delegable by United States Environmental Protection Agency (EPA). Examples of these are listed as follows:
 - A. Innovative Technology Waivers (for example, sections 60.47, 60.286 and 60.398);
 - B. Commercial Demonstration Permits (for example, section 60.45(a));
 - C. Alternative or Equivalent Methods (for example, sections 60.8(b)(2), 60.8(b)(3), 60.11(e), 60.114(a), 60.195(b), 60.302(d)(3), 60.482-1(c)(2), 60.484, 60.493(b)(2)(i)(A), 60.496(a)(1), 60.592(c) and 60.623); and
 - D. National Consistency (for example, sections 60.332(a)(3) and 60.335(f)(1)); and
4. Incinerators which are subject to Hazardous Waste Management Commission rule 40 CFR 264, subpart O as incorporated in 10 CSR 25-7.264 shall not be subjected to the requirements of this rule. The exemptions granted under 40 CFR 264.340(b) as incorporated in 10 CSR 25-7.264 are subject to this rule. All other applicable requirements of this chapter shall remain in effect as to the incinerators.

(C) **In addition to complying with the provisions of this rule, affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.**

~~[(C)]~~(D) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive rule requirement shall be applied.

- (2) Definitions. Certain terms used in 40 CFR part 60 refer to federal officers, agencies and publications. The following terms applicable to Missouri shall be substituted where appropriate for the delegable federal counterparts:
- (A) Director shall be substituted for Administrator;
 - (B) Missouri Department of Natural Resources shall be substituted for EPA, EPA Regional Office or Environmental Protection Agency; and
 - (C) *Missouri Register* shall be substituted for *Federal Register*.

- (3) General Provisions. The following are the New Source Performance Standards (NSPS) 40 CFR part 60 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual source operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart	Title
(D)	Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971
(Da)	Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
(Db)	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units
(Dc)	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
(E)	Standards of Performance for Incinerators
(Ea)	Standards of Performance for Municipal Waste Combustors for Which [constructed] Construction is Commenced [after] After December 20, 1989 ; and on or [before] Before September 20, 1994
(Eb)	Standards of Performance for Large Municipal Waste Combustors [constructed] for Which Construction is Commenced [after] After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
(Ec)	Standards of Performance for Hospital/Medical/Infectious Waste Incinerators [constructed] for Which Construction is Commenced [after] After June 20, 1996
(F)	Standards of Performance for Portland Cement Plants
(G)	Standards of Performance for Nitric Acid Plants
(H)	Standards of Performance for Sulfuric Acid Plants
(I)	Standards of Performance for Hot Mix Asphalt [Concrete Plants] Facilities
(J)	Standards of Performance for Petroleum Refineries
(K)	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced [after] After June 11, 1973, and Prior to May 19, 1978
(Ka)	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
(Kb)	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced [after] After July 23, 1984

- (L) **Standards of Performance for Secondary Lead Smelters**
- (M) **Standards of Performance for Secondary Brass and Bronze Production Plants**
- (N) **Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973**
- (Na) **Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983**
- (O) **Standards of Performance for Sewage Treatment Plants**
- (P) **Standards of Performance for Primary Copper Smelters**
- (Q) **Standards of Performance for Primary Zinc Smelters**
- (R) **Standards of Performance for Primary Lead Smelters**
- (S) **Standards of Performance for Primary Aluminum Reduction Plants**
- (T) **Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants**
- (U) **Standards of Performance for the Phosphate Fertilizer Industry: Super[-]phosphoric Acid Plants**
- (V) **Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants**
- (W) **Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants**
- (X) **Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities**
- (Y) **Standards of Performance for Coal Preparation Plants**
- (Z) **Standards of Performance for Ferroalloy Production Facilities**
- (AA) **Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983**
- (AAa) **Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983**
- (BB) **Standards of Performance for Kraft Pulp Mills**
- (CC) **Standards of Performance for Glass Manufacturing Plants**
- (DD) **Standards of Performance for Grain Elevators**
- (EE) **Standards of Performance for Surface Coating of Metal Furniture**
- (GG) **Standards of Performance for Stationary Gas Turbines**
- (HH) **Standards of Performance for Lime Manufacturing Plants**
- (KK) **Standards of Performance for Lead-Acid Battery Manufacturing Plants**
- (LL) **Standards of Performance for Metallic Mineral Processing Plants**
- (MM) **Standards of Performance for Automobile and Light[-]Duty Truck Surface Coating Operations**
- (NN) **Standards of Performance for Phosphate Rock Plants**
- (PP) **Standards of Performance for Ammonium Sulfate Manufacture**
- (QQ) **Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing**
- (RR) **Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations**
- (SS) **Standards of Performance for Industrial Surface Coating: Large Appliances**
- (TT) **Standards of Performance for Metal Coil Surface Coating**

- (UU) **Standards of Performance for** Asphalt Processing and Asphalt Roofing Manufacture
- (VV) **Standards of Performance for** Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry
- (WW) **Standards of Performance for the** Beverage Can Surface Coating Industry
- (XX) **Standards of Performance for** Bulk Gasoline Terminals
- (AAA) **Standards of Performance for** New Residential Wood Heaters
- (BBB) **Standards of Performance for the** Rubber Tire Manufacturing Industry
- (DDD) **Standards of Performance for Volatile Organic Compound (VOC) Emissions from the** Polymer Manufacturing Industry
- (FFF) **Standards of Performance for** Flexible Vinyl and Urethane Coating and Printing
- (GGG) **Standards of Performance for** Equipment Leaks of VOC in Petroleum Refineries
- (HHH) **Standards of Performance for** Synthetic Fiber Production Facilities
- (III) **Standards of Performance for Volatile Organic Compound (VOC) Emissions [from]From the Synthetic Organic Chemical Manufacturing Industry (SOCMI)** Air Oxidation Unit Processes
- (JJJ) **Standards of Performance for** Petroleum Dry Cleaners
- (KKK) **Standards of Performance for** Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
- (LLL) **Standards of Performance for** Onshore Natural Gas Processing: SO₂ Emissions
- (NNN) **Standards of Performance for Volatile Organic Compound (VOC) Emissions [from]From Synthetic Organic Chemical Manufacturing Industry (SOCMI)** Distillation Operations
- (OOO) **Standards of Performance for** Nonmetallic Mineral Processing Plants
- (PPP) **Standard of Performance for** Wool Fiberglass Insulation Manufacturing Plants
- (QQQ) **Standards of Performance for** VOC Emissions From Petroleum Refinery Wastewater Systems
- (RRR) **Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI)** Reactor Processes
- (SSS) **Standards of Performance for** Magnetic Tape Coating Facilities
- (TTT) **Standards of Performance for** Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
- (UUU) **Standards of Performance for** Calciners and Dryers in Mineral Industries
- (VVV) **Standards of Performance for** Polymeric Coating of Supporting Substrates Facilities
- (WWW) **Standards of Performance for** Municipal Solid Waste Landfills
- (AAAA) **Standards of Performance for** Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
- (CCCC) **Standards of Performance for** Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001

(4) Reporting. Reporting requirements are specified in each federal regulation adopted by reference.

- (5) Test Methods.
- (A) Relation to 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources. The sampling methods given in 40 CFR part 60, Appendix A and specified in 10 CSR 10-6.030 shall be effective as of the date in section (1) of this rule.
 - (B) Relation to 10 CSR 10-6.040 Reference Methods. The reference methods given in 40 CFR parts 50 and 53 and specified in 10 CSR 10-6.040(4) shall be effective as of the date in section (1) of this rule.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Dec. 10, 1979, effective April 11, 1980. Amended: Filed Feb. 9, 1981, effective July 11, 1981. Amended: Filed Dec. 10, 1981, effective June 11, 1982. Amended: Filed Dec. 15, 1982, effective May 12, 1983. Amended: Filed Jan. 12, 1983, effective June 11, 1983. Amended: Filed Feb. 14, 1984, effective July 12, 1984. Amended: Filed March 14, 1985, effective Aug. 26, 1985. Amended: Filed June 5, 1986, effective Sept. 26, 1986. Amended: Filed April 2, 1987, effective Aug. 27, 1987. Amended: Filed March 2, 1988, effective June 27, 1988. Amended: Filed June 6, 1989, effective Oct. 27, 1989. Amended: Filed March 31, 1992, effective Feb. 26, 1993. Amended: Filed March 25, 1993, effective Nov. 8, 1993. Amended: Filed June 30, 1994, effective Feb. 26, 1995. Amended: Filed Sept. 14, 1995, effective May 30, 1996. Amended: Filed July 15, 1997, effective Feb. 28, 1998. Amended: Filed March 15, 1999, effective Oct. 30, 1999. Amended: Filed July 30, 1999, effective March 30, 2000. Amended: Filed May 15, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 31, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 17, 2005, effective Nov. 30, 2005. Amended: Filed May 2, 2006.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 20, 2006. The public hearing will be held at the Crowne Plaza – St. Louis Airport, 11228 Lone Eagle Drive, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659A East Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 27, 2006. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659A East Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.075**

MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY REGULATIONS

This proposed amendment will change subsections (1)(A) and (1)(B) and section (3).

Subsection (1)(A) is being amended to update the promulgated date.

Subsection (1)(B) is a typographical correction.

Section (3) is being amended for clarification and to include new 40 CFR part 63 subparts and amendments to previously adopted 40 CFR part 63 subparts.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10 - DEPARTMENT OF
NATURAL RESOURCES**

Division 10 - Air Conservation Commission

**Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations. The commission proposes to amend subsections (1)(A) and (1)(B) and section (3). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of

Natural Resources' Environmental Regulatory Agenda website,
www.dnr.mo.gov/reg/regagenda.htm.

PURPOSE: This rule establishes emission control technology, performance criteria and work practices to achieve emission standards for sources that emit or have the potential to emit hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.075 to incorporate 40 CFR part 63 subparts promulgated or amended between July 1, 2002 and June 30, 2003 and clarify the applicability section intent. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, are: elements of the State/EPA work plan and Title V Operating Permit Program requirements.

PURPOSE: This rule establishes emission control technology, performance criteria and work practices to achieve emission standards for sources that emit or have the potential to emit hazardous air pollutants.

- (1) Applicability.
 - (A) The provisions of 40 CFR part 63 promulgated **as of** June 30, ~~[2003]~~**2004 shall apply** and **are** hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.
 - (B) Exceptions to the adoption are as follows:
 1. Sections 63.13 and 6[0]3.15(a)(2) of subpart A; and
 2. Those provisions which are not delegable by United States Environmental Protection[s] Agency (EPA). Examples of these include alternative or equivalent methods (for example, sections 63.102(b), 63.150(I)(1) through (I)(4), and 63.177).
 - (C) In addition to complying with the provisions of this rule, affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.
 - (D) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive rule requirement shall be applied.
- (2) Definitions. Certain terms used in 40 CFR part 63 refer to federal officers, agencies and publications. The following terms applicable to Missouri shall be substituted where appropriate for the delegable federal counterparts:
 - (A) Director shall be substituted for Administrator;
 - (B) Missouri Department of Natural Resources shall be substituted for EPA, EPA Regional Office or Environmental Protection Agency; and
 - (C) *Missouri Register* shall be substituted for *Federal Register*.
- (3) General Provisions. The following are the Maximum Achievable Control Technology (MACT) 40 CFR part 63 subparts that are adopted by reference in subsection (1)(A) of his rule. Individual source operations or installations in these categories are subject to this rule based on category specific parameters, as specified in the applicable subpart:

Subpart	Title
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- (F) National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry
- (G) National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater
- (H) National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks
- (I) National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks
- (J) **National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production**
- (L) National Emission Standards for Coke Oven Batteries
- (M) National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
- (N) National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks
- (O) Ethylene Oxide Emissions Standards for Sterilization Facilities
- (Q) National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers
- (R) National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
- (S) National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry
- (T) National Emission Standards for Halogenated Solvent Cleaning
- (U) National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
- (W) National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production
- (X) National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting
- (Y) National Emission Standards for Marine Tank Vessel Loading Operations
- (AA) National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants
- (BB) National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants
- (CC) National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries
- (DD) National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations
- (EE) National Emission Standards for Magnetic Tape Manufacturing Operations
- (GG) National Emission Standards for Aerospace Manufacturing and Rework Facilities
- (HH) National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities
- (II) National Emission Standards for Shipbuilding & Ship Repair (Surface Coating)

(JJ)	National Emission Standards for Wood Furniture Manufacturing Operations
(KK)	National Emission Standards for the Printing and Publishing Industry
(LL)	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants
(MM)	National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills
(OO)	National Emission Standards for Tanks—Level 1
(PP)	National Emission Standards for Containers
(QQ)	National Emission Standards for Surface Impoundments
(RR)	National Emission Standards for Individual Drain Systems
(SS)	National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process
(TT)	National Emission Standards for Equipment Leaks—Control Level 1
(UU)	National Emission Standards for Equipment Leaks—Control Level 2 Standards
(VV)	National Emission Standards for Oil-Water Separators and Organic-Water Separators
(WW)	National Emission Standards for Storage Vessels (Tanks)—Control Level 2
(XX)	National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations
(YY)	National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards
(CCC)	National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants
(DDD)	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production
(EEE)	National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors
(GGG)	National Emission Standards for Pharmaceuticals Production
(HHH)	National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities
(III)	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production
(JJJ)	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
(LLL)	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry
(MMM)	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production
(NNN)	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing
(OOO)	National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins

(PPP)	National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production
(QQQ)	National Emission Standards for Hazardous Air Pollutant Emissions for Primary Copper Smelting
(RRR)	National Emission Standards for Hazardous Air Pollutants: Secondary Aluminum Production
(TTT)	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting
(UUU)	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
(VVV)	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works
(XXX)	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese
(AAAA)	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
(CCCC)	National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast
(EEEE)	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)
(FFFF)	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing
(GGGG)	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production
(HHHH)	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production
(IIII)	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks
(JJJJ)	National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating
(KKKK)	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans
(MMMM)	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products
(NNNN)	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances
(OOOO)	National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles
(PPPP)	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products
(QQQQ)	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products
(RRRR)	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture
(SSSS)	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil

(TTTT)	National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations
(UUUU)	National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing
(VVVV)	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing
(WWWW)	National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production
(XXXX)	National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing
(YYYY)	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines
(ZZZZ)	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
(AAAAA)	National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants
(BBBBB)	National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing
(CCCCC)	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks
(DDDDD)	National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing]
(EEEE)	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries
(FFFFF)	National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities
(GGGGG)	National Emission Standards for Hazardous Air Pollutants: Site Remediation
(HHHHH)	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing
(IIII)	National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants
(JJJJJ)	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing
(KKKKK)	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing
(LLLLL)	National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing
(MMMMM)	National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations
(NNNNN)	National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production
(PPPPP)	National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stand[ard]s
(QQQQQ)	National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities
(RRRRR)	National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing

(SSSSS) **National Emissions Standards for Hazardous Air Pollutants for
Refractory Products Manufacturing**
(TTTTT) **National Emissions Standards for Hazardous Air Pollutants for
Primary Magnesium Refining**

- (4) Reporting. Reporting requirements are specified in each federal regulation adopted by reference.
- (5) Test Methods. Test methods are specified in each federal regulation adopted by reference.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed May 1, 1996, effective Dec. 30, 1996. Amended: Filed April 14, 1998, effective Nov. 30, 1998. Amended: Filed March 15, 1999, effective Oct. 30, 1999. Amended: Filed July 30, 1999, effective March 30, 2000. Amended: Filed May 15, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 31, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 17, 2005, effective Nov. 30, 2005. Amended: Filed May 2, 2006.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 20, 2006. The public hearing will be held at the Crowne Plaza – St. Louis Airport, 11228 Lone Eagle Drive, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659A East Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 27, 2006. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659A East Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO**

10 CSR 10-6.080

EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

This proposed amendment will amend subsections (1)(A) and (1)(B) and add new subsection (1)(C).

Subsection (1)(A) is being amended to update the promulgated date.

Subsection (1)(B) is a typographical correction.

Subsection (1)(C) adds language that some affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10 - DEPARTMENT OF
NATURAL RESOURCES**

Division 10 - Air Conservation Commission

**Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants. The commission proposes to amend subsections (1)(A) and (1)(B) and add new subsection (1)(C) and reletter the original (1)(C) to (1)(D). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone

number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/regagenda.htm.

PURPOSE: This rule establishes emission standards and performance criteria for new or modified sources emitting hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.080 to incorporate 40 CFR part 61 subparts promulgated or amended between July 1, 2003 and June 30, 2004 and clarify the applicability section intent. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, are: elements of the State/EPA work plan and Title V Operating Permit Program requirements.

PURPOSE: This rule establishes emission standards and performance criteria for new or modified sources emitting hazardous air pollutants.

- (1) Applicability.
 - (A) The provisions of 40 CFR part 61 promulgated **as of** June 30, ~~[2003]~~**2004 shall apply** and **are** thereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.
 - (B) Exceptions to the adoption are as follows:
 1. Sections 60.4, 60.16 and 60.17 of subpart A;
 2. Subparts B, H, I, K, Q, R, T[,] and W in their entirety; and
 3. Those provisions which are not delegable by United States Environmental Protection Agency (EPA). Examples of these include alternative or equivalent methods (for example, sections 61.12(d)(1), 61.13(h)(1)(ii), 61.112(c), 61.164(a)(2), 61.164(a)(3), and 61.244).
 - (C) **In addition to complying with the provisions of this rule, affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.**
 - ~~[(C)]~~(D) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the Code of State Regulations are applicable to an emission source, the more restrictive rule requirement shall be applied.
- (2) Definitions. Certain terms used in 40 CFR part 61 refer to federal officers, agencies and publications. The following terms applicable to Missouri shall be substituted where appropriate for the delegable federal counterparts:
 - (A) Director shall be substituted for Administrator;
 - (B) Missouri Department of Natural Resources shall be substituted for EPA, EPA Regional Office or Environmental Protection Agency; and
 - (C) *Missouri Register* shall be substituted for *Federal Register*.
- (3) The following are the National Emission Standards for Hazardous Air Pollutants (NESHAPs) 40 CFR part 61 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual sources, operations or

installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart	Title
(C)	National Emission Standard for Beryllium
(D)	National Emission Standard for Beryllium Rocket Motor Firing
(E)	National Emission Standard for Mercury
(F)	National Emission Standard for Vinyl Chloride
(J)	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
(L)	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
(M)	National Emission Standard for Asbestos
(N)	National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants
(O)	National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters
(P)	National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
(V)	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
(Y)	National Emission Standards for Benzene Emissions From Benzene Storage Vessels
(BB)	National Emission Standards for Benzene Emissions From Benzene Transfer Operations
(FF)	National Emission Standard for Benzene Waste Operations
(4)	Reporting. Reporting requirements are specified in each federal regulation adopted by reference.
(5)	Test Methods. Test methods are specified in each federal regulation adopted by reference.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Dec. 10, 1979, effective April 11, 1980. Amended: Filed Feb. 9, 1981, effective July 11, 1981. Amended: Filed Dec. 10, 1981, effective June 11, 1982. Amended: Filed Jan. 12, 1983, effective June 11, 1983. Amended: Filed Feb. 14, 1984, effective July 12, 1984. Amended: Filed June 4, 1985, effective Oct. 26, 1985. Amended: Filed June 5, 1986, effective Sept. 26, 1986. Amended: Filed Feb. 4, 1987, effective May 28, 1987. Amended: Filed April 2, 1987, effective Aug. 27, 1987. Amended: Filed March 2, 1988, effective June 27, 1988. Amended: Filed June 6, 1989, effective Oct. 27, 1989. Amended: Filed May 1, 1992, effective Feb. 26, 1993. Amended: Filed March 25, 1993, effective Nov. 8, 1993. Amended: Filed June 30, 1994, effective Feb. 26, 1995. Amended: Filed Sept. 14, 1995, effective May 30, 1996. Amended: Filed July 15, 1997, effective Feb. 28, 1998. Amended: Filed March 15, 1999, effective Oct. 30, 1999. Amended: Filed July 30, 1999, effective March 30, 2000. Amended: Filed May 15, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 31, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 17, 2005, effective Nov. 30, 2005. Amended: Filed May 2, 2006.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 20, 2006. The public hearing will be held at the Crowne Plaza – St. Louis Airport, 11228 Lone Eagle Drive, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659A East Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 27, 2006. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659A East Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO**

10 CSR 10-6.110

**SUBMISSION OF EMISSION DATA, EMISSION FEES AND PROCESS
INFORMATION**

This amendment proposes to amend subsection (3)(D).

Subsection (3)(D) is being amended to establish emission fees for calendar year 2006 and to change the April 1 due dates for emission fees and emission inventory questionnaires to June 1 so all classifications will have the June 1 due date.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

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**Title 10 - DEPARTMENT OF
NATURAL RESOURCES**

Division 10 - Air Conservation Commission

**Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information.

The commission proposes to amend subsection (3)(D). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/regagenda.htm.

PURPOSE: This rule deals with submittal of emission information, emission fees and public availability of emission data. It provides procedures for collection, recording and submittal of emission data and process information on state-supplied Emission Inventory Questionnaire and

Emission Statement forms, or in a format satisfactory to the director, so that the state can calculate emissions for the purpose of state air resource planning. This amendment will establish emission fees for Missouri facilities as required annually and will change the April 1 due dates for emission fees and emission inventory questionnaires to June 1 so all classifications will have the June 1 due date. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is section 643.079 of the Missouri statutes and public testimony provided at the July 21, 2005 Missouri Air Conservation Commission Meeting.

PURPOSE: This rule deals with submittal of emission information, emission fees and public availability of emission data. It provides procedures for collection, recording and submittal of emission data and process information on state-supplied Emission Inventory Questionnaire and Emission Statement forms, or in a format satisfactory to the director, so that the state can calculate emissions for the purpose of state air resource planning.

(1) Applicability.

- (A) This rule applies to any installation that: notifies and accepts a permit-by-rule under 10 CSR 10-6.062, is required to obtain a permit under 10 CSR 10-6.060 or 10 CSR 10-6.065, is required to file an Emission Inventory Questionnaire (EIQ) as outlined in the Reporting Frequency table in paragraph (3)(A)5. of this rule, or is required by the staff director to prove its potential emissions are below *de minimis* levels.
- (B) An emission statement is required of facilities if the actual emission of either nitrogen oxides (NO_x), volatile organic compounds (VOCs) or carbon monoxide (CO) are equal to or greater than ten (10) tons annually. Emission statement (Form 2.0Z) requirements in this rule are applicable only to sources located in nonattainment areas.

(2) Definitions. Definitions of certain terms specified in this rule may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) Record Keeping and Reporting Requirements.

- 1. The owner or operator of an installation that is a source of any air contaminant shall collect, record and maintain, during each calendar year of operation—the time period and duration of emissions; the amounts of processed materials, fuels and solvents consumed; and the amounts of process materials, fuels and solvents stored in tanks and storage piles which emit any regulated air pollutant.
- 2. The owner or operator of an installation subject to paragraph (3)(A)1. of this rule shall file with the director, on the frequency specified in paragraph (3)(A)5. of this rule, reports containing the information specified in paragraph (3)(A)1. of this rule. The reports shall specify the type and location of all sources of regulated air pollutants and the amount of each type of regulated air pollutant at each location; the size and height of all emission outlets, stacks and vents; the processes employed, including all fuel combustion and incineration; the type of air pollution

control equipment used at the installation; the capture efficiency and control efficiency of the air pollution control equipment, where applicable; and ozone season information (Form 2.0Z) from sources located in nonattainment areas. Capture efficiency shall be applicable to emission points which are controlled by air pollution control devices and are not fully enclosed. Capture efficiency is not applicable to fugitive dust. The department encourages facilities to perform tests to determine capture efficiency. Industrial ventilation principles and engineering calculations may be used if testing is physically impossible or cost prohibitive. If testing or engineering calculation is not possible, then a default value of fifty percent (50%) capture efficiency may be used. Documentation verifying the capture efficiency shall be included with the EIQ. The owner or operator may submit a report containing information of a different nature provided the information submitted is adequate for the purposes of air quality planning and fee assessment and is approved by the director. Information submitted shall be reduced by the director to emission data as defined in 10 CSR 10-6.210(3)(B)2.

3. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be completed on state supplied EIQ forms or in a form satisfactory to the director and shall be submitted to the director within ninety (90) days after the end of each reporting period. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. The reporting periods for an installation, as determined by the reporting frequency specified in paragraph (3)(A)5. of this rule, shall end on December 31 of each calendar year. Sources allowed to file reports once every five (5) years shall submit the EIQ on the same schedule as the operating permit renewal application. Each report shall contain the information required by paragraph (3)(A)2. of this rule for each air contaminant source at the installation for the twelve (12)-month period immediately preceding the end of the reporting period, in addition to the information required under paragraph (3)(A)1. of this rule to be collected, recorded and maintained during each year of operation of the installation.
4. For sources located in nonattainment areas, an emission statement is required if the actual emission of either nitrogen oxides (NO_x), volatile organic compounds (VOCs) or carbon monoxide (CO) are equal to or greater than ten (10) tons annually. Emissions of each pollutant shall be reported if a facility meets the ten (10) ton threshold for any of the three (3). Emissions statement reporting requirements shall be completed on state supplied EIQ forms and include the information required at paragraph (3)(A)2. of this rule and ozone season information for VOC, NO_x and CO emissions and any other criteria pollutant requested by the director. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. Emission statements shall be submitted in accordance with the schedule in paragraph (3)(A)5. of this rule.

5. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be filed on the following frequency:

Reporting Frequency

Installation Classification	Emission Inventory Questionnaire	
	Nonattainment Area	All Other
1. Any installation required to obtain a Part 70, Intermediate or Basic Operating Permit under 10 CSR 10-6.065.	Annually	Annually
2. Any installation required to obtain a construction permit under 10 CSR 10-6.060 or accepting a permit-by-rule under 10 CSR 10-6.062, but not an operating permit.	Once every Five (5) years	Once every five (5) years
3. Any installation required to submit an EIQ by the director.	Within forty-five (45) days of request	Within forty-five (45) days of request
4. Any installation whose actual emissions of VOC, NO _x or CO are equal to or greater than ten (10) tons/year.	Annually, an emission statement is required	Exempt, no emission statement required
6. All data collected and recorded in accordance with the provisions of this rule shall be retained by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected and all these records shall be made available to the director upon his/her request.		
(B) Specific Report Required. The director may require the owner or operator of an installation to submit compound specific emission rates when the information submitted pursuant to paragraph (3)(A)3. of this rule does not provide sufficient information to determine whether specific compounds from the installation may cause a threat to public health or welfare.		
(C) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.		
(D) Emission Fees.		
1. Any air contaminant source required to obtain a permit under sections 643.010–643.190, RSMo, except sources that produce charcoal from wood, shall pay an annual emission fee, regardless of their EIQ reporting frequency, of thirty-four dollars and fifty cents (\$34.50) per ton of		

regulated air pollutant emitted starting with calendar year [2005]2006 in accordance with the conditions specified in paragraph (3)(D)2. of this rule. Sources which are required to file reports once every five (5) years may use the information in their most recent EIQ to determine their annual emission fee.

2. General requirements.

A. The fee shall apply to the first four thousand (4,000) tons of each regulated air pollutant emitted. However, no air contaminant source shall be required to pay fees on total emissions of regulated air pollutants in excess of twelve thousand (12,000) tons in any calendar year.

A permitted air contaminant source which emitted less than one (1) ton of all regulated pollutants shall pay a fee equal to the amount of one (1) ton.

B. The fee shall be based on the information provided in the facility's EIQ.

C. An air contaminant source which pays emissions fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

D. The fee imposed under paragraph (3)(D)1. of this rule shall not apply to carbon oxide emissions.

E. The fees for emissions produced during the previous calendar year shall be due **June**[April] 1 each year for all United States Department of Labor Standard Industrial Classifications. [~~except for Standard Industrial Classification 4911 Electric Services which shall be due June 1 each year.~~] The fees shall be payable to the Department of Natural Resources.

F. All Emissions Inventory Questionnaire forms or equivalent approved by the director shall be due **June**[April] 1 each year for all United States Department of Labor Standard Industrial Classifications. [~~except for Standard Industrial Classification 4911 Electric Services which shall be due June 1 each year.~~]

G. For the purpose of determining the amount of air contaminant emissions on which the fees are assessed, a facility shall be considered one (1) source under the definition of section 643.078.2, RSMo, except that a facility with multiple operating permits shall pay emission fees separately for air contaminants emitted under each individual permit.

3. Fee collection. The annual changes to this rule to establish emission fees for a specific year do not relieve any source from the payment of emission fees for any previous year.

(E) Emission Calculation and Verification.

1. Emission calculation. All sources shall use the following hierarchy as a guide in determining the most desirable emission data to report to the

department. If data is not available for an emission estimation method or an emission estimation method is impractical for a source, then the subsequent emission estimation method should be used in its place:

- A. Continuous Emission Monitoring System (CEMS) as specified in subparagraph (3)(E)2.A. of this rule;
- B. Stack tests as specified in subparagraph (3)(E)2.B. of this rule;
- C. Material/mass balance;
- D. AP-42 (Environmental Protection Agency (EPA) *Compilation of Air Pollution Emission Factors*) or FIRE (Factor Information and Retrieval System) (as updated);
- E. Other EPA documents as specified in subparagraph (3)(E)2.C. of this rule;
- F. Sound engineering calculations; or
- G. Facilities shall obtain department preapproval of emission estimation methods other than those listed in subparagraphs (3)(E)1.A.–F. of this rule before using any such method to estimate emissions in the submission of an EIQ. The department will approve or deny requests by December 31 if submitted in writing by September 1.

- 2. Emission verification. The director reserves the authority to review and approve all emission estimation methods used to calculate emissions for the purpose of filing an EIQ for accuracy, reliability and appropriateness. Inappropriate usage of an emission factor or method shall include, but is not limited to: using emission factors not representative of a process, using equipment in a manner other than that for which it was designed for in calculating emissions, or using a less accurate emission estimation method for a process when a facility has more accurate emission data available. Additional requirements for the use of a specific emission estimation method include:

- A. Continuous Emission Monitoring System (CEMS).
 - (I) CEMS must be shown to have met applicable performance specifications during the period for which data is being presented.
 - (II) CEMS data must be presented in the units which the system was designed to measure. Additional data sets used to extrapolate CEMS data must have equal or better reliability for such extrapolation to be acceptable.
 - (III) When using CEMS data to estimate emissions, the data must include all parameters (i.e. emission rate, gas flow rate, etc.) necessary to accurately determine the emissions. CEMS data which does not include all the necessary parameters must be reviewed and approved by the director or local air pollution control authority before it may be used to estimate emissions;
- B. Stack tests.

- (I) Stack tests must be conducted on the specific equipment for which the stack test results are used to estimate emissions.
 - (II) Stack tests must be conducted according to the methods cited in 10 CSR 10-6.030, unless an alternative method has been approved in advance by the director or local air pollution control authority.
 - (III) Stack tests will not be accepted unless the choice of test sites and a detailed test plan have been approved in advance by the director or local air pollution control authority.
 - (IV) Stack tests will not be accepted unless the director or local air pollution control authority has been notified of test dates at least thirty (30) days in advance and thus provided the opportunity to observe the testing. This thirty (30)-day notification may be reduced or waived on a case-by-case basis by the director or local air pollution control authority.
 - (V) Stack test results which do not meet all the criteria of parts (3)(E)2.B.(I)–(IV) of this rule may be acceptable for estimating emissions, but must be submitted for review and approval by the director or local air pollution control authority on a case-by-case basis; and
- C. EPA documents. Other EPA documents may be used to estimate emissions if the emission factors are more appropriate or source specific than AP-42 or FIRE. Newly developed EPA emission factors must be published by December 31 of the year for which the facility is submitting an EIQ.
- (F) Emission Fee Auditing/Adjustment.
 - 1. The department may conduct on-site detailed reviews (audits) of EIQs and supporting documentation as the director deems necessary.
 - 2. The department may make emission fee adjustments when—
 - A. Clerical or arithmetic errors have been made;
 - B. Submitted documentation is not supported by inspections or audits;
 - C. Emissions estimates are modified as a result of emission verification or audits;
 - D. Credit has been incorrectly applied for an emissions fee paid to a local air pollution control agency; or
 - E. The department shall not be limited by subparagraphs (3)(F)2.A.–D. of this rule in making emission fee adjustments.
- (4) Reporting and Record Keeping. Owners or operators shall maintain records containing sufficient information to demonstrate compliance with all applicable emission fee rule requirements as specified in subsections (3)(A) and (B). All data collected and recorded in accordance with the provisions of this rule shall be retained by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected and all these records shall be made available to the director upon his/her request.

(5) Test Methods. (Not Applicable)

AUTHORITY: section 643.050, RSMo 2000. Original rule filed June 13, 1984, effective Nov. 12, 1984. Amended: Filed April 2, 1987, effective Aug. 27, 1987. Amended: Filed May 14, 1993, effective Jan. 31, 1994. Amended: Filed Sept. 2, 1993, effective May 9, 1994. Amended: Filed May 15, 1995, effective Dec. 30, 1995. Amended: Filed May 15, 1997, effective Dec. 30, 1997. Amended: Filed May 12, 1998, effective Dec. 30, 1998. Amended: Filed May 14, 1999, effective Dec. 30, 1999. Amended: Filed April 6, 2000, effective Nov. 30, 2000. Amended: Filed June 1, 2001, effective Dec. 30, 2001. Amended: Filed Jan. 16, 2002, effective Aug. 30, 2002. Amended: Filed May 15, 2003, effective Dec. 30, 2003. Amended: Filed May 17, 2004, effective Dec. 30, 2004. Amended: Filed May 16, 2005, effective Dec. 30, 2005. Amended: Filed May 11, 2006.

PUBLIC COST: Although this proposed amendment does not change the amount of the emissions fee from 2005 to 2006, there will be a reduction in revenue of three hundred thirty thousand two hundred eighty-eight dollars (\$330,288) in the aggregate to the state agency due to decreasing emissions. Note attached fiscal note for assumptions that apply.

PRIVATE COST: Although this proposed amendment does not change the amount of the emissions fee from 2005 to 2006, there will be a reduction of three hundred thirty thousand two hundred eighty-eight dollars (\$330,288) in the aggregate of private entity fees paid due to decreasing emissions. Note attached fiscal note for assumptions that apply.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 20, 2006. The public hearing will be held at the Crowne Plaza – St. Louis Airport, 11228 Lone Eagle Drive, St. Louis, MO 63044. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 E. Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 27, 2006. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 E. Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

FISCAL NOTE PUBLIC ENTITY COST

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 6 - Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process
Information

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Misc. Public Entities (listed below)	\$ 131,499 Reduction In Fees Paid
Missouri Department of Natural Resources	\$ 330,288 Reduction In Revenue

Cost estimates are reported as annualized aggregates.

III. WORKSHEET

	FY2007*	FY2008	FY2009	FY2010	FY2011
EQ Fees	\$1,382,674	\$1,363,508	\$1,344,607	\$1,325,969	\$1,307,589

FY2012	FY2013	FY2014	FY2015	FY2016	FY2017*
\$1,289,463	\$1,271,589	\$1,253,963	\$1,236,581	\$1,219,440	\$0

EQ Fee Costs			
	FY2007	FY2008**	Annualized Aggregate
EQ Fees (\$34.50 Fee for 2006)	\$1,382,674	\$1,363,508	\$1,299,538

EQ Fee Costs			
	FY2007	FY2008**	Annualized Aggregate
EQ Fees (\$34.50 Fee for 2005)	\$1,477,823	\$1,467,226	\$1,431,037

Aggregate Reduction In EQ Fees Paid For This Amendment***	\$131,499
Reduction In Public Entity Fee Revenue For This Amendment***	\$461,786
Resulting Reduction In Public Entity Fee Revenue For This Amendment***	\$330,288

* See Assumption 3.

** The first full fiscal year for this rulemaking is FY2008.

*** Difference in annualized aggregate costs when emissions fee remains the same but emissions decrease from prior calendar year.

List of Affected Entities:

Source Description	Number of Facilities
Gas & Electric	46
Sanitary Services	32
Hospitals	20
Rehabilitation Centers	2
Schools	9
Correctional Facility	6
National Security	7
Post Office	2
Transportation	3
Other	9
Totals	136

IV. ASSUMPTIONS

1. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be ten (10) years although the duration of the rule is indefinite. If the life of the rule extends beyond ten years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The public entity costs are fee collection estimates. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.
3. The fees for emissions produced during the previous calendar year shall be due June 1 each year for all United States Department of Labor Standard Industrial Classifications. For example, costs for all calendar year 2006 emission fees are received by the Missouri Department of Natural Resources between January 1, 2007 and June 30, 2007.
4. Cost and affected entity estimates are based on data presently entered in the tracking systems of the Missouri Department of Natural Resources' Air Pollution Control Program. This data is subject to change as additional information is reviewed, updated, and entered.
5. Fees for public entities are based on \$34.50 per ton of regulated air pollutant for calendar 2006. This fee represents neither an increase nor a decrease from the emissions fee of \$34.50 per ton of regulated air pollutant for calendar year 2005.
6. The emission fees paid by public entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.
7. The percent difference between the two most recent years of actual facility emissions is used to project future year facility emissions.
8. Compliance and EIQ preparation costs reported on EIQs are not included in this fiscal note because these costs are not a result of this rulemaking. Compliance and preparation costs have been included in fiscal notes for the rulemakings that implemented these requirements.
9. The aggregate reduction in public entity fee revenue for the Missouri Department of Natural Resources' Air Pollution Control Program results from the difference in emissions between calendar years. The 2003 emissions (274,422 tons) were used for the 2005 calculations and the 2004 emissions (270,194 tons) were used in the 2006 calculations. This reduction in emissions along with fee adjustments made to account for plant shutdowns, production cuts, added controls, etc. results in the reduction in public entity revenue.

FISCAL NOTE PRIVATE ENTITY COST

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process
Information

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2,570 Facilities (listed below)	Listed below	\$ 330,288 Reduction In Fees Paid

Cost estimates are reported as annualized aggregates.

III. WORKSHEET

	FY2007*	FY2008	FY2009	FY2010	FY2011
EQ Fees	\$7,812,287	\$7,703,996	\$7,597,206	\$7,491,896	\$7,388,046

FY2012	FY2013	FY2014	FY2015	FY2016	FY2017*
\$7,285,636	\$7,184,645	\$7,085,054	\$6,986,843	\$6,889,994	\$0

EQ Fee Costs			
	FY2007	FY2008**	Annualized Aggregate
EQ Fees (\$34.50 Fee for 2006)	\$7,812,287	\$7,703,996	\$7,342,560

EQ Fee Costs			
	FY2007	FY2008**	Annualized Aggregate
EQ Fees (\$34.50 Fee for 2005)	\$7,923,700	\$7,866,882	\$7,672,848

Total Aggregate Reduction In EQ Fees Paid For This Amendment***	\$330,288
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* See Assumption 3.

** The first full fiscal year for this rulemaking is FY2008.

*** Difference in annualized aggregate revenue when emissions fee remains the same but emissions decrease from prior calendar year.

List of Affected Entities:

SIC Code	SIC Description	Number of Facilities
01	AGRICULTURAL PRODUCTION-CROPS	0
02	AGRICULTURAL PRODUCTION-LIVESTOCK AND ANIMAL SPECIALTIES	1
07	AGRICULTURAL SERVICES	51
08	FORESTRY	0
09	FISHING, HUNTING AND TRAPPING	0
10	METAL MINING	7
12	COAL MINING	4
13	OIL AND GAS EXTRACTION	0
14	MINING AND QUARRYING OF NONMETALLIC MINERALS, EXCEPT FUELS	321
15	BUILDING CONSTRUCTION-GENERAL CONTRACTORS AND OPERATIVE	0
16	HEAVY CONSTRUCTION OTHER THAN BUILDING CONSTRUCTION	1
17	CONSTRUCTION-SPECIAL TRADE CONTRACTORS	4
20	FOOD AND KINDRED PRODUCTS	112
21	TOBACCO PRODUCTS	0
22	TEXTILE MILL PRODUCTS	1
23	APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS	1
24	LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE	61
25	FURNITURE AND FIXTURES	25
26	PAPER AND ALLIED PRODUCTS	22
27	PRINTING, PUBLISHING, AND ALLIED INDUSTRIES	61
28	CHEMICALS AND ALLIED PRODUCTS	136
29	PETROLEUM REFINING AND RELATED INDUSTRIES	137
30	RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS	64
31	LEATHER AND LEATHER PRODUCTS	5
32	STONE, CLAY, GLASS, AND CONCRETE PRODUCTS	360

SIC Code	SIC Description	Number of Facilities
33	PRIMARY METAL INDUSTRIES	50
34	FABRICATED METAL PRODUCTS, EXCEPT MACHINERY AND TRANSPORTATION	83
35	INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT	53
36	ELECTRONIC AND OTHER ELECTRICAL EQUIPMENT AND COMPONENTS	32
37	TRANSPORTATION EQUIPMENT	63
38	MEASURING, ANALYZING, AND CONTROLLING INSTRUMENTS	4
39	MISCELLANEOUS MANUFACTURING INDUSTRIES	19
40	RAILROAD TRANSPORTATION	0
41	LOCAL AND SUBURBAN TRANSIT AND INTERURBAN HIGHWAY PASSENGER	1
42	MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING	13
43	UNITED STATES POSTAL SERVICE	0
44	WATER TRANSPORTATION	5
45	TRANSPORTATION BY AIR	6
46	PIPELINES, EXCEPT NATURAL GAS	18
47	TRANSPORTATION SERVICES	3
48	COMMUNICATIONS	5
49	ELECTRIC, GAS, SANITARY SERVICES, AND LANDFILLS	111
50	WHOLESALE TRADE-DURABLE GOODS	19
51	WHOLESALE TRADE-NON-DURABLE GOODS	157
52	BUILDING MATERIALS, HARDWARE, GARDEN	0
53	GENERAL MERCHANDISE STORES	0
54	FOOD STORES	0
55	AUTOMOTIVE DEALERS AND GASOLINE SERVICE STATIONS	1
56	APPAREL AND ACCESSORY STORES	0
57	HOME FURNITURE, FURNISHINGS, AND EQUIPMENT STORES	0

SIC Code	SIC Description	Number of Facilities
58	EATING AND DRINKING PLACES	0
59	MISCELLANEOUS RETAIL	1
60	DEPOSITORY INSTITUTIONS	0
61	NONDEPOSITORY CREDIT INSTITUTIONS	0
62	SECURITY & COMMODITY BROKERS, DEALERS	0
63	INSURANCE CARRIERS	0
64	INSURANCE AGENTS, BROKERS AND SERVICES	0
65	REAL ESTATE	2
67	HOLDING AND OTHER INVESTMENT OFFICES	0
70	HOTELS, ROOMING HOUSES, CAMPS, AND OTHER LODGING PLACES	1
72	PERSONAL SERVICES AND DRY CLEANERS	435
73	BUSINESS SERVICES	5
75	AUTOMOTIVE REPAIR, SERVICES, AND PARKING	5
76	MISCELLANEOUS REPAIR SERVICES	2
78	MOTION PICTURES	0
79	AMUSEMENT AND RECREATION SERVICES	1
80	HEALTH SERVICES	33
81	LEGAL SERVICES	0
82	EDUCATIONAL SERVICES	6
83	SOCIAL SERVICES	1
84	MUSEUMS, ART GALLERIES, AND BOTANICAL AND ZOOLOGICAL GARDENS	0
86	MEMBERSHIP ORGANIZATIONS	0
87	ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT, AND RELATED	9
88	PRIVATE HOUSEHOLDS	0
89	SERVICES NOT ELSEWHERE CLASSIFIED	0
91	EXECUTIVE, LEGISLATIVE, AND GENERAL GOVERNMENT, EXCEPT FINANCE	0
92	JUSTICE, PUBLIC ORDER AND SAFETY	5

SIC Code	SIC Description	Number of Facilities
93	PUBLIC FINANCE, TAXATION & MONETARY	0
94	ADMINISTRATION OF HUMAN RESOURCE PERSONNEL	0
95	ADMINISTRATION OF ENVIRONMENTAL QUALITY AND HOUSING PROGRAMS	1
96	ADMINISTRATION OF ECONOMIC PROGRAMS	0
97	NATIONAL SECURITY AND INTERNATIONAL AFFAIRS	2
99	UNKNOWN	44
Total Facilities		2,570

IV. ASSUMPTIONS

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6. The emission fees paid by private entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.
7. The percent difference between the two most recent years of actual facility emissions is used to project future year facility emissions.
8. Compliance and EIQ preparation costs reported on EIQs are not included in this fiscal note because these costs are not a result of this rulemaking. Compliance and preparation costs have been included in fiscal notes for the rulemakings that implemented these requirements.
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**Title 10 - DEPARTMENT OF
NATURAL RESOURCES**

Division 10 - Air Conservation Commission

**Chapter 5 – Air Quality Standards and Air Pollution Control Rules
Specific to the St. Louis Metropolitan Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-5.300 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 714-719). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program (APCP) received comments from the U.S. Environmental Protection Agency (EPA), The Boeing Company, the U.S. Department of Energy National Nuclear Security Administration, Safety-Kleen Systems, Inc. and a former 10 CSR 10-5.300 workgroup member.

COMMENT: EPA commented that the term -- approved by the director -- is added several times throughout this rule revision. Because the rule would allow alternative control measures to those contained in the EPA-approved state implementation plan, the rule text should be revised to -- approved by the director and EPA.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, the director approval language throughout the rule has been revised to include EPA approval.

COMMENT: EPA commented that the proposed revision to remove the requirement for owners and operators of equipment to keep monthly records of the solvent types, amounts purchased, and amount of solvent consumed could affect the approvability of the rule revision into the State Implementation Plan (SIP). If the department's Air Pollution Control Program does not retain the timing requirement, EPA believes that another mechanism should be utilized to ensure compliance with the rule.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, the rule language has been revised in subsection (4)(A) of this rule to require the records to be kept current and made available for review on a monthly basis.

COMMENT: EPA commented that this rule is included in Missouri's 15% Rate of Progress Plan for the 1-hour ozone standard in St. Louis and the department's Air Pollution Control

Program is required to provide a demonstration that these proposed rule revisions will not negatively impact the ability of St. Louis to attain the ozone standard.

RESPONSE: The department's Air Pollution Control Program plans to prepare the required demonstration to show that this rule revision will not interfere with reasonable further progress or attainment of the 8-hour ozone standard. The demonstration will be included in the department's request for EPA to include the amended rule in the Missouri SIP. No rule text changes were made as a result of this comment.

Due to similar support addressed in the following two (2) comments, one (1) response can be found at the end of these two (2) comments:

COMMENT: The Boeing Company commented that they support the many technical and editorial revisions in this proposed rulemaking. These revisions will eliminate unnecessary rule complexity and address uncertainties of interpretation and applicability that surfaced during Title V self-certifications and discussions with agency inspectors and other regulated facilities.

COMMENT: The U.S. Department of Energy National Nuclear Security Administration commented that they support the proposed rulemaking that is protective of the environment and makes sense to industry.

RESPONSE: The department's Air Pollution Control Program appreciates this support for the proposed rulemaking. We also recognize that all the time and effort the workgroup expended to develop the language in this proposed rulemaking will result in more easily understood rule requirements. No rule text changes were made as a result of these comments.

COMMENT: The Boeing Company and the U.S. Department of Energy National Nuclear Security Administration commented that rather than the rule requiring that a permanent conspicuous label summarizing operating procedures be affixed to the equipment the rule should be revised to be affixed to the equipment or readily visible during operation. This would meet the intent of the rule requirement to remind operators of the operating procedures but allow other visible label locations that are less likely to render the label unreadable.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, subparagraphs (3)(A)1.I., (3)(A)2.D., (3)(A)3.E. and (3)(A)4.A. of the rule text has been revised to accommodate more readily visible label locations.

COMMENT: Safety-Kleen Systems, Inc. and a former 10 CSR 10-5.300 workgroup member commented that the proposed rulemaking does not allow spray gun cleaners to use solvents with vapor pressures used to clean solvent-based paints from paint spray guns. These solvents are much different than solvents used in degreasing operations and should be exempt from the rule.

RESPONSE AND EXPLANATION OF CHANGE: Existing rule language is confusing because the spray gun requirements are listed under cold cleaners which have solvent vapor pressure requirements. This proposed amendment lists spray gun requirements separately from the cold cleaner requirements and is intended to place solvent vapor pressure requirements only on cold cleaners. To avoid confusion, the reference to open-top vapor degreasers in subparagraph (1)(D)2.B. has been removed to clarify that this rule only has requirements for vapor pressure limits on cold cleaners that do not meet the exemption requirements. However, it should be noted that solvent metal cleaning operations are still applicable to the federal National Emission Standard for Hazardous Air Pollutants.

COMMENT: Safety-Kleen Systems, Inc. commented that the department should reconsider the definitions in this rule and, in particular, the soils definition which seems to be the only reason to include spray gun activity in the solvent metal cleaning rule. It was noted that paint spray gun cleaning is not regulated under the model solvent metal cleaning rule developed by the Ozone Transport Commission (OTC) and that other areas of the country used these model rules for requirements.

RESPONSE: The solvent metal cleaning workgroup met several times between May 2002 and May 2005 to develop the proposed rule text. Discussions included review of all definitions including existing, proposed changes and new additions. The OTC model rules were included in these discussions as well as reviewing other state rule requirements. No rule text changes were made as a result of this comment.

COMMENT: Safety-Kleen Systems, Inc. commented that some issues in the evidence letters supporting this proposed rulemaking are still unaddressed.

RESPONSE: The solvent metal cleaning workgroup met several times between May 2002 and May 2005 to discuss and focus on issues and concerns to develop the proposed amendment language. The evidence letters were used as the basis for those discussions and all issues in the letters were discussed at great length. The language in this proposed amendment was mutually negotiated with affected industries, the U.S. Environmental Protection Agency and the department's regional offices. No rule text changes were made as a result of this comment.

Due to similar concerns addressed in the following two (2) comments, one (1) response that addresses these concerns can be found at the end of these two (2) comments:

COMMENT: Safety-Kleen Systems, Inc. commented that this proposed rulemaking should not be adopted so that consideration can be given to determining whether it is appropriate to include paint spray gun cleaning under the current solvent metal cleaning rule.

COMMENT: A former 10 CSR 10-5.300 workgroup member commented that incorporating paint spray gun cleaning equipment into the solvent metal cleaning rule has lead to confusion and a separate rule should be established for paint spray gun cleaning equipment.

RESPONSE: This significant issue was discussed in workgroup discussions and the consensus of the workgroup was that it was acceptable to include paint spray gun cleaning under the solvent metal cleaning rule as long as the changes proposed were incorporated to clarify these requirements. No rule text changes were made as a result of this comment. However, this does not rule out the possibility that at some future date a separate rule could be developed for paint spray gun cleaning.

COMMENT: A former 10 CSR 10-5.300 workgroup member commented that the inclusion of the definition for flush cleaning in this rule is confusing because spray gun cleaning could fall under this definition and, therefore, be exempt from this rule under subparagraph (1)(D)1.F.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, language was added to the flush cleaning definition in subsection (2)(E) to clarify that the definition does not include spray gun cleaning.

10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning

- (1) Applicability.
- (A) This rule shall apply throughout the city of St. Louis and St. Charles, St. Louis, Jefferson and Franklin Counties.
 - (B) This rule shall apply to all installations that emit volatile organic compounds (VOCs) from solvent metal cleaning or degreasing operations.
 - (C) This rule applies to any of the following processes that use nonaqueous solvents to clean and remove soils from metal parts:
 - 1. Spray gun cleaners;
 - 2. Cold cleaners with a solvent reservoir or tank;
 - 3. Open-top or conveyORIZED vapor degreasers; or
 - 4. Air-tight or airless cleaning systems.
 - (D) Exemptions.
 - 1. The following shall be exempt from this rule:
 - A. Cold cleaners with liquid surface areas of one (1) square foot or less or maximum capacities of one (1) gallon or less;
 - B. Solvent cleaning operations that meet the emission control requirements of 10 CSR 10-5.295, 10 CSR 10-5.330, 10 CSR 10-5.340 or 10 CSR 10-5.442;
 - C. Solvent metal cleaning operations regulated under 40 CFR 63 subpart T, National Emission Standards for Halogenated Solvent Cleaning;
 - D. The cleaning of electronic components, medical devices or optical devices;
 - E. Hand cleaning/wiping operations; and
 - F. Flush cleaning operations.
 - 2. The following shall be exempt from the solvent vapor pressure requirements of subparagraphs (3)(A)1.A. and (3)(A)1.B. of this rule:
 - A. Sales of cold cleaning solvents in quantities of five (5) gallons or less;
 - B. Cold cleaners using solvents regulated under any federal National Emission Standard for Hazardous Air Pollutants; and
 - C. Janitorial and institutional cleaning.
 - 3. All wastes that are subject to hazardous waste requirements at 10 CSR Division 25, Chapters 4 through 9 shall be exempt from the requirements of subparagraphs (3)(B)1.E., (3)(B)2.J., (3)(B)3.G., (3)(B)4.B. and (3)(B)5.G., and subsection (4)(A) of this rule.

(2) Definitions.

- (A) Airless cleaning system—A degreasing machine that is automatically operated and seals at a differential pressure of 25 torr (25.0 millimeters of Mercury (mmHg) (0.475 pounds per square inch (psi)) or less, prior to the introduction of solvent vapor into the cleaning chamber and maintains differential pressure under vacuum during all cleaning and drying cycles.

- (B) Air-tight cleaning system—A degreasing machine that is automatically operated and seals at a differential pressure no greater than 0.5 pounds per square inch gauge (psig) during all cleaning and drying cycles.
- (C) Aqueous solvent—Any solvent consisting of sixty percent (60%) or more by volume water with a flashpoint greater than ninety-three degrees Celsius (93°C) (one hundred ninety-nine point four degrees Fahrenheit (199.4°F)) and is miscible with water.
- (D) Electronic components—All portions of an electronic assembly, including, but not limited to, circuit board assemblies, printed wire assemblies, printed circuit boards, soldered joints, ground wires, bus bars, and associated electronic component manufacturing equipment such as screens and filters.
- (E) Flush cleaning—The removal of contaminants such as dirt, grease and coatings from a component or coating equipment by passing solvent over, into or through the item being cleaned. The solvent drained from the item may be assisted by air, compressed gas, hydraulic pressure or by pumping. Flush cleaning does not include spray gun cleaning
- (F) Freeboard area—The air space in a batch-load cold cleaner that extends from the liquid surface to the top of the tank.
- (G) Freeboard height—
1. The distance from the top of the solvent to the top of the tank for batch-loaded cold cleaners;
 2. The distance from the air-vapor interface to the top of the tank for open-top vapor degreasers; or
 3. The distance from either the air-solvent or air-vapor interface to the top of the tank for conveyORIZED degreasers.
- (H) Freeboard ratio—The freeboard height divided by the smaller of either the inside length or inside width of the degreaser.
- (I) Hand cleaning/wiping operation—The removal of contaminants such as dirt, grease, oil and coatings from a surface by physically rubbing it with a material such as a rag, paper or cotton swab that has been moistened with a cleaning solvent.
- (J) Institutional cleaning—Cleaning activities conducted at organizations, societies or corporations including, but not limited to schools, hospitals, sanitariums and prisons.
- (K) Janitorial cleaning—The cleaning of building or facility components such as the floors, ceilings, walls, windows, doors, stairs, bathrooms, kitchens, etc.
- (L) Medical device—An instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar article, including any component or accessory that meets one (1) of the following conditions:
1. It is intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease;
 2. It is intended to affect the structure or any function of the body; or
 3. It is defined in the National Formulary or the United States Pharmacopoeia, or any supplement to them.

- (M) Nonaqueous solvent—Any solvent not classifiable as an aqueous solvent as defined in subsection (2)(C) of this rule.
- (N) Optical device—An optical element used in an electro-optical device and designed to sense, detect or transmit light energy, including specific wavelengths of light energy and changes in light energy levels.
- (O) Soils—Includes, but is not limited to, unwanted grease, wax, grit, ash, dirt and oil. Spray gun soils, in addition, include unwanted primers, paint, specialty coatings, adhesives, sealers, resins and deadeners.
- (P) Spray gun cleaner—Equipment used to clean spray guns used to apply, but not limited to, primers, paints, specialty coatings, adhesives, sealers, resins or deadeners incorporated into a product distributed in commerce.
- (Q) Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) Equipment Specifications.

1. Cold cleaners.

- A. No one shall use, sell or offer for sale for use within the City of St. Louis and St. Charles, St. Louis, Jefferson and Franklin Counties a cold cleaning solvent with a vapor pressure greater than 1.0 mmHg (0.019 psi) at twenty degrees Celsius (20°C) (sixty-eight degrees Fahrenheit (68°F)) unless used for carburetor cleaning.
- B. No one shall use, sell or offer for sale for use within the City of St. Louis and St. Charles, St. Louis, Jefferson and Franklin Counties a cold cleaning solvent for the purpose of carburetor cleaning with a vapor pressure greater than 5.0 mmHg (0.097 psi) at twenty degrees Celsius (20°C) (sixty-eight degrees Fahrenheit (68°F)).
- C. Each cold cleaner shall have a cover which prevents the escape of solvent vapors from the solvent bath while in the closed position or an enclosed reservoir which limits the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner.
- D. An owner or operator of a cold cleaner may use an alternate method for reducing cold cleaning emissions if the owner or operator shows the level of emission control is equivalent to or greater than the requirements of subparagraphs (3)(A)1.A. and (3)(A)1.B. of this rule. This alternate method must be approved by the director and the U.S. Environmental Protection Agency (EPA).
- E. When one (1) or more of the following conditions exist, the cover shall be designed to operate easily such that minimal disturbing of the solvent vapors in the tank occurs. (For covers larger than ten (10) square feet, this shall be accomplished by

either mechanical assistance such as spring loading or counter weighing or by power systems):

- (I) The solvent vapor pressure is greater than 0.3 psi measured at thirty-seven point eight degrees Celsius (37.8°C) (one hundred degrees Fahrenheit (100°F));
 - (II) The solvent is agitated; or
 - (III) The solvent is heated.
- F. Each cold cleaner shall have an internal drainage facility so that parts are enclosed under the cover while draining.
- G. If an internal drainage facility cannot fit into the cleaning system and the solvent vapor pressure is less than 0.6 psi measured at thirty-seven point eight degrees Celsius (37.8°C) (one hundred degrees Fahrenheit (100°F)), then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath.
- H. Solvent sprays, if used, shall be a solid fluid stream (not a fine, atomized or shower-type spray) and at a pressure which does not cause splashing above or beyond the freeboard.
- I. A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment or in a location readily visible during operation of the equipment.
- J. Any cold cleaner which uses a solvent that has a solvent vapor pressure greater than 0.6 psi measured at thirty-seven point eight degrees Celsius (37.8°C) (one hundred degrees Fahrenheit (100°F)) or heated above forty-eight point nine degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)) must use one (1) of the following control devices:
- (I) A freeboard ratio of at least 0.75;
 - (II) Water cover (solvent must be insoluble in and heavier than water); or
 - (III) Other control systems with a mass balance demonstrated overall VOC emissions reduction efficiency greater than or equal to sixty-five percent (65%). These control systems must receive approval from the director and EPA prior to their use.
2. Open-top vapor degreasers.
- A. Each open-top vapor degreaser shall have a cover that will prevent the escape of solvent vapors from the degreaser while in the closed position and shall be designed to open and close easily such that minimal disturbing of the solvent vapors in the tank occurs. For covers larger than ten (10) square feet, easy cover use shall be accomplished by either mechanical assistance, such as spring loading or counter weighing or by power systems.
- B. Each open-top vapor degreaser shall be equipped with a vapor level control device that shuts off the heating source when the

vapor level rises above the cooling or condensing coil, or an equivalent safety device approved by the director and EPA.

- C. Each open-top vapor degreaser with an air/vapor interface over ten and three-fourths (10 3/4) square feet shall be equipped with at least one (1) of the following control devices:

- (I) A freeboard ratio of at least 0.75;
- (II) A refrigerated chiller;
- (III) An enclosed design (the cover or door opens only when the dry part actually is entering or exiting the degreaser);
- (IV) A carbon adsorption system with ventilation of at least fifty (50) cubic feet per minute per square foot of air vapor area when the cover is open and exhausting less than twenty-five parts per million (25 ppm) of solvent by volume averaged over one (1) complete adsorption cycle as measured using the reference method specified at 10 CSR 10-6.030(14)(A); or
- (V) A control system with a mass balance demonstrated overall VOC emissions reduction efficiency greater than or equal to sixty-five percent (65%) and prior approval by the director and EPA.

- D. A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment or in a location readily visible during operation of the equipment.

3. Conveyorized degreasers.

- A. Each conveyorized degreaser shall have a drying tunnel or rotating (tumbling) basket or other means demonstrated to have equal to or better control which shall be used to prevent cleaned parts from carrying out solvent liquid or vapor.

- B. Each conveyorized degreaser shall have the following safety devices which operate if the machine malfunctions:

- (I) A vapor level control device that shuts off the heating source when the vapor level rises just above the cooling or condensing coil; and
- (II) A spray safety switch, which shuts off the spray pump if the vapor level in the spray chamber drops four inches (4"), for conveyorized degreasers utilizing a spray chamber; or
- (III) Equivalent safety devices approved by the director and EPA.

- C. Entrances and exits shall silhouette workloads so that the average clearance between parts and the edge of the degreaser opening is less than four inches (4") or less than ten percent (10%) of the width of the opening.

- D. Covers shall be provided for closing off the entrance and exit during hours when the degreaser is not being used.

- E. A permanent, conspicuous label summarizing the operating procedures shall be affixed to the equipment or in a location readily visible during operation of the equipment.
 - F. If the air/vapor interface is larger than twenty-one and one-half (21 1/2) square feet, one (1) major control device shall be required. This device shall be one (1) of the following:
 - (I) A refrigerated chiller;
 - (II) Carbon adsorption system with ventilation of at least fifty (50) cubic feet per minute per square foot of the total entrance and exit areas (when downtime covers are open) and exhausting less than twenty-five (25) ppm of solvent by volume averaged over one (1) complete adsorption cycle as measured using the reference method specified at 10 CSR 10-6.030(14)(A); or
 - (III) A control system with a mass balance demonstrated overall VOC emissions reduction efficiency greater than or equal to sixty-five percent (65%) and prior approval by the director and EPA.
4. Air-tight or airless cleaning systems. Air-tight or airless cleaning systems shall:
- A. Have a permanent conspicuous label summarizing the operating procedures affixed to the equipment or in a location readily visible during operation of the equipment;
 - B. Be equipped with a differential pressure gauge to indicate the sealed chamber pressure under vacuum; and
 - C. Be equipped with a safety alarm to alert the operator of equipment malfunction.
- (B) Operating Procedure Requirements.
- 1. Cold cleaners.
 - A. Cold cleaner covers shall be closed whenever parts are not being handled in the cleaners or the solvent must drain into an enclosed reservoir except when performing maintenance or collecting solvent samples.
 - B. Cleaned parts shall be drained in the freeboard area for at least fifteen (15) seconds or until dripping ceases, whichever is longer. Parts having cavities or blind holes shall be tipped or rotated while the part is draining. During the draining, tipping or rotating, the parts shall be positioned so that the solvent drains directly back to the cold cleaner.
 - C. Whenever a cold cleaner fails to perform within the rule operating requirements, the unit shall be shut down immediately and shall remain shut down until operation is restored to meet the rule operating requirements.
 - D. Solvent leaks shall be repaired immediately or the cold cleaner shall be shut down until the leaks are repaired.

- E. Any waste material removed from a cold cleaner shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA:
 - (I) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or
 - (II) Stored in closed containers for transfer to—
 - (a) A contract reclamation service; or
 - (b) A disposal facility approved by the director and EPA.
 - F. Waste solvent shall be stored in closed containers only.
2. Open-top vapor degreasers.
- A. The cover shall be kept closed at all times except when processing workloads through the open-top vapor degreaser, performing maintenance or collecting solvent samples.
 - B. Solvent carry-out shall be minimized in the following ways:
 - (I) Parts shall be racked, if practical, to allow full drainage;
 - (II) Parts shall be moved in and out of the open-top vapor degreaser at less than eleven feet (11') per minute;
 - (III) Workload shall remain in the vapor zone at least thirty (30) seconds or until condensation ceases, whichever is longer;
 - (IV) Pools of solvent shall be removed from cleaned parts before removing parts from the open-top vapor degreaser freeboard area; and
 - (V) Cleaned parts shall be allowed to dry within the open-top vapor degreaser freeboard area for at least fifteen (15) seconds or until visually dry, whichever is longer.
 - C. Porous or absorbent materials such as cloth, leather, wood or rope shall not be degreased.
 - D. If workloads occupy more than half of the open-top vapor degreaser's open-top area, rate of entry and removal shall not exceed five feet (5') per minute.
 - E. Spray shall never extend above vapor level.
 - F. Whenever an open-top vapor degreaser fails to perform within the rule operating requirements, the unit shall be shut down until operation is restored to meet the rule operating requirements.
 - G. Solvent leaks shall be repaired immediately or the open-top vapor degreaser shall be shut down until the leaks are repaired.
 - H. Ventilation exhaust from the open-top vapor degreaser shall not exceed sixty-five (65) cubic feet per minute per square foot of the open-top vapor degreaser open area unless proof is submitted that it is necessary to meet Occupational Safety and Health Administration (OSHA) requirements. Fans shall not be used near the open-top vapor degreaser opening.

- I. Water shall not be visually detectable in solvent exiting the water separator, except for automatic water separators that by configuration do not allow visual inspection.
 - J. Any waste material removed from an open-top vapor degreaser shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA:
 - (I) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or
 - (II) Stored in closed containers for transfer to—
 - (a) A contract reclamation service; or
 - (b) A disposal facility approved by the director and EPA.
 - K. Waste solvent shall be stored in closed containers only.
3. Conveyorized degreasers.
- A. Ventilation exhaust from the conveyorized degreaser shall not exceed sixty-five (65) cubic feet per minute per square foot of conveyorized degreaser opening unless proof is submitted that it is necessary to meet OSHA requirements. Fans shall not be used near the conveyorized degreaser opening.
 - B. Solvent carry-out shall be minimized in the following ways:
 - (I) Parts shall be racked, if practical, to allow full drainage; and
 - (II) Vertical conveyor speed shall be maintained at less than eleven feet (11') per minute.
 - C. Whenever a conveyorized degreaser fails to perform within the rule operating requirements, the unit shall be shut down immediately and shall remain shut down until operation is restored to meet the rule operating requirements.
 - D. Solvent leaks shall be repaired immediately or the conveyorized degreaser shall be shut down until the leaks are repaired.
 - E. Water shall not be visually detectable in solvent exiting the water separator.
 - F. Covers shall be placed over entrances and exits immediately after conveyor and exhaust are shut down and removed just before they are started up.
 - G. Any waste material removed from a conveyorized degreaser shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA:
 - (I) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or
 - (II) Stored in closed containers for transfer to—
 - (a) A contract reclamation service; or

- (b) A disposal facility approved by the director and EPA.
 - H. Waste solvent shall be stored in closed containers only.
- 4. Spray gun cleaners.
 - A. Cleaning of spray guns shall be accomplished by use of one (1) or more of the following methods:
 - (I) Enclosed spray gun cleaning. Enclosed system spray gun cleaning shall consist of forcing solvent through the spray gun and/or spray gun parts. Spray guns and/or spray gun parts shall only be cleaned in remote closed top spray gun cleaning machines under the following conditions:
 - (a) The spray gun cleaning machine is operated within the manufacturer's specifications and with the lid kept tightly closed at all times except when being accessed or maintained; and
 - (b) Removable containers (which shall not exceed thirty (30) gallons in size) for clean, used and waste solvent, are kept tightly closed except when being accessed or maintained;
 - (II) Nonatomized spray gun cleaning. Nonatomized spray gun cleaning shall consist of placing solvent in the pressure pot and forcing it through the spray gun with the atomizing cap in place. Spray guns shall only be cleaned through nonatomized spray gun cleaning under the following conditions:
 - (a) No atomizing air shall be used; and
 - (b) The cleaning solvent from the spray gun shall be directed into a pail, bucket, drum or other waste container that is closed when not in use;
 - (III) Disassembled spray gun cleaning. Disassembled spray gun cleaning shall be accomplished by disassembling the spray gun to be cleaned and cleaning the components by one (1) of the following methods:
 - (a) By hand in a spray gun cleaner, which shall remain closed except when in use; or
 - (b) By soaking in a spray gun cleaner, which shall remain closed during the soaking period and when not inserting or removing components; or
 - (IV) Atomized spray gun cleaning. Atomized spray gun cleaning shall consist of forcing the cleaning solvent through the gun and directing the resulting atomized spray into a waste container that is fitted with a device designed to capture the atomized cleaning solvent emissions. Cleaning of the nozzle tips of an automated spray equipment system is exempt from the requirements

of paragraph (3)(B)4. of this rule, unless the system is a robotic system that is programmed to spray into a closed container.

- B. Any waste material removed from an spray gun cleaning system shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA:
 - (I) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or
 - (II) Stored in closed containers for transfer to—
 - (a) A contract reclamation service; or
 - (b) A disposal facility approved by the director and EPA.
 - C. Waste solvent shall be stored in closed containers only.
5. Air-tight and airless cleaning systems.
- A. Operate the air-tight and airless cleaning systems with a door or other pressure sealing apparatus in place during all cleaning and drying cycles.
 - B. All associated pressure relief devices shall not allow liquid solvent to drain out of the equipment.
 - C. Solvent leaks shall be repaired immediately or the air-tight or airless cleaning system shall be shut down until the leaks are repaired.
 - D. The air-tight and airless cleaning systems shall be operated within the manufacturer's specifications.
 - E. Parts shall be positioned, if practical, to allow full drainage and pools of solvent shall be removed from cleaned parts before removing parts from the air-tight or airless cleaning system.
 - F. Wipe up solvent leaks and spills immediately and store the used rags in closed containers.
 - G. Any waste material removed from an air-tight and airless cleaning system shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA:
 - (I) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or
 - (II) Stored in closed containers for transfer to—
 - (a) A contract reclamation service; or
 - (b) A disposal facility approved by the director and EPA.
 - H. Waste solvent shall be stored in closed containers only.

(C) Operator and Supervisor Training.

1. Only persons trained in at least the operational and equipment requirements specified in this rule for their particular solvent metal cleaning process shall be permitted to operate the equipment.
2. The person who supervises any person who operates solvent cleaning equipment regulated by this rule shall receive equal or greater operational training than the operator.
3. A procedural review shall be given to all solvent metal cleaning equipment operators at least once each twelve (12) months.
4. Training records shall be maintained per subsections (4)(D) and (4)(E) of this rule.

(4) Reporting and Record Keeping.

- (A) The owner or operator of a solvent metal cleaning or degreasing operation shall keep records of all types and amounts of solvents containing waste material from cleaning or degreasing operations transferred either to a contract reclamation service or to a disposal facility and all amounts distilled on the premises. The records also shall include maintenance and repair logs for both the degreaser and any associated control equipment. These records shall be kept current and made available for review on a monthly basis. The director may require additional record keeping if necessary to adequately demonstrate compliance with this rule.

- (B) All persons that use any solvent subject to the requirements of subparagraph (3)(A)1.A. or (3)(A)1.B. of this rule shall maintain records which include for each purchase of cold cleaning solvent:

1. The name and address of the solvent supplier;
2. The date of purchase;
3. The type of solvent; and
4. The vapor pressure of the solvent in mmHg at twenty degrees Celsius (20°C) (sixty-eight degrees Fahrenheit (68°F)).

- (C) All persons that sell or offer for sale any solvent subject to the requirements of subparagraph (3)(A)1.A. or (3)(A)1.B. of this rule shall maintain records which include for each sale of cold cleaning solvent:

1. The name and address of the solvent purchaser;
2. The date of sale;
3. The type of solvent;
4. The unit volume of solvent;
5. The total volume of solvent; and
6. The vapor pressure of the solvent measured in mmHg at twenty degrees Celsius (20°C) (sixty-eight degrees Fahrenheit (68°F)).

- (D) A record shall be kept of solvent metal cleaning training required by subsection (3)(C) of this rule.

- (E) All records required under subsections (4)(A), (4)(B), (4)(C) and (4)(D) of this rule shall be retained for five (5) years and shall be made available to the director upon request.

(5) Test Methods. *(Not applicable)*

MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE

1

Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective
Rule Amendment 10 CSR 10-6.065 Operating Permits (Implements governor's operating permit streamlining recommendations; addresses regulated community concerns and helps streamline Basic and Intermediate operating permits programs)	03-16-04	09-12-04	12-14-04	01-18-05	03-31-05	04-07-05	04-28-05	06-23-05	09-30-05
Rule Amendment 10 CSR 10-6.070 New Source Performance Regulations (Annual updates)	10-22-04	11-07-04	02-17-05	04-01-05	05-26-05	06-02-05	06-30-05	08-31-05	11-30-05
Rule Amendment 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations (Annual updates)	10-22-04	11-07-04	02-17-05	04-01-05	05-26-05	06-02-05	06-30-05	08-31-05	11-30-05
Rule Amendment 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants (Annual updates)	10-22-04	11-07-04	02-17-05	04-01-05	05-26-05	06-02-05	06-30-05	08-31-05	11-30-05
New Rule 10 CSR 10-6.360 Control of NOx Emissions From Electric Generating and Non-Electric Generating Boilers (NOx SIP Call)	11-04-04	11-09-04	02-14-05	03-15-05	04-28-05	05-05-05	05-26-05	08-01-05	10-30-05
New Rule 10 CSR 10-6.380 Control of NOx Emissions From Portland Cement Kilns (NOx SIP Call)	11-04-04	11-09-04	02-14-05	03-15-05	04-28-05	05-05-05	05-26-05	08-01-05	10-30-05
New Rule 10 CSR 10-6.390 Control of NOx Emissions From Large Stationary Internal Combustion Engines (NOx SIP Call)	11-04-04	11-09-04	02-14-05	03-15-05	04-28-05	05-05-05	05-26-05	08-01-05	10-30-05
Rule Amendment 10 CSR 10-2.390 Kansas City Area Transportation Conformity Requirements (Federal updates)	12-17-04	01-10-05	04-01-05	05-02-05	06-30-05	07-07-05	07-21-05	10-03-05	12-30-05
Rule Amendment 10 CSR 10-5.480 St. Louis Area Transportation Conformity Requirements (Federal updates)	12-17-04	01-10-05	04-01-05	05-02-05	06-30-05	07-07-05	07-21-05	10-03-05	12-30-05
Rule Amendment 10 CSR 10-1.030 Air Conservation Commission Appeals and Requests for Hearings (Contains procedural regulations for contested cases heard by commission or assigned to hearing officer by commission)	01-27-05	02-06-05	05-12-05	06-15-05	07-21-05	07-28-05	08-25-05	10-26-05	01-30-06
Rule Amendment 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information (Sets emission fee required annually by statute and adjusts deadline for fee payment)	03-09-05	N/A	05-16-05	06-15-05	07-21-05	07-28-05	08-25-05	10-03-05	12-30-05
Rule Amendment 10 CSR 10-6.010 Ambient Air Quality Standards (Updates NAAQS table with new and revised 8-hour Ozone and PM2.5 standards)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06
Rule Amendment 10 CSR 10-6.020 Definitions and Common Reference Tables (Updates definitions for the new PM2.5 NAAQS mandated under CAA of 1997)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06
Rule Amendment 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources (Updates federal reference methods for new PM2.5 NAAQS mandated under CAA of 1997)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06

Shaded blocks indicate actual completion dates.

* Copy provided to Joint Committee on Administrative Rules

** Last day to meet rule effective date shown.

MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE

2

Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective
Rule Amendment 10 CSR 10-6.040 Reference Methods (Updates federal reference methods for new PM2.5 NAAQS mandated under CAA of 1997)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06
Rule Amendment 10 CSR 10-5.510 Control of Emissions of Nitrogen Oxides (Adds another test method to determine NOx emission rates)	05-12-05	05-19-05	08-26-05	10-03-05	12-08-05	12-15-05	02-02-06	03-15-06	05-30-06
Rule Amendment 10 CSR 10-6.100 Alternate Emission Limits (Updates reference for federal New Source Review program for nonattainment areas)	06-02-05	N/A			Anticipate Filing 9/1/06				
Rule Amendment 10 CSR 10-6.060 Construction Permits Required (Adopts federal New Source Review program for nonattainment areas)	06-03-05	06-26-05			Anticipate Filing 9/1/06				
Rule Amendment 10 CSR 10-6.061 Construction Permits Exemptions (Relocates recordkeeping section and clarifies specific facilities exemptions)	08-17-05	N/A	12-01-05	01-03-06	02-02-06	02-09-06	03-30-06	05-09-06	07-30-06
Rule Amendment 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning (Addresses industry concerns about provisions related to enforcement and compliance)	10-27-05	11-09-05	04-03-06	05-01-06	06-29-06	07-06-06	07-20-06	09-01-06	11-30-06
Rule Amendment 10 CSR 10-6.070 New Source Performance Regulations (Annual updates)	10-27-05	11-09-05	05-02-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06
Rule Amendment 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations (Annual updates)	10-27-05	11-09-05	05-02-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06
Rule Amendment 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants (Annual updates)	10-27-05	11-09-05	05-02-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06
New Rule 10 CSR 10-6.345 Control of NOx Emissions From Upwind Sources (Addresses large sources of nitrogen oxides upwind and outside St. Louis 8-hr ozone nonattainment area expected to have potential to affect air quality)	11-10-05	11-23-05	05-04-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06
Rule Amendment 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information (Sets emission fee required annually by statute and adjusts deadline for fee payment)	03-16-06	N/A	05-11-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06
New Rule 10 CSR 10-6.362 Clean Air Interstate Rule, Annual NOx Trading Program (Establishes NOx emissions cap)	06-09-06	06-28-06			Anticipate Filing 10/02/06				
New Rule 10 CSR 10-6.364 Clean Air Interstate Rule, Seasonal NOx Trading Program (Establishes ozone seasonal NOx emission cap)	06-09-06	06-28-06			Anticipate Filing 10/02/06				

Shaded blocks indicate actual completion dates.

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** Last day to meet rule effective date shown.

MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE

3

Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective
New Rule 10 CSR 10-6.366 Clean Air Interstate Rule, SO ₂ Trading Program (Establishes annual SO ₂ emission cap)	06-09-06	06-28-06				Anticipate Filing 10/02/06			
Rule Amendment 10 CSR 10-6.350 Emission Limitations and Emissions Trading of Oxides of Nitrogen (Voids this rule when NO _x seasonal trading rule is implemented)	06-09-06	06-28-06				Anticipate Filing 10/02/06			
Rule Amendment 10 CSR 10-6.360 Control of NO _x Emissions from Electric Generating Units and Non-Electric Generating Boilers (Voids this rule when NO _x seasonal trading rule is implemented)	06-09-06	06-28-06				Anticipate Filing 10/02/06			
New Rule 10 CSR 10-6.368 Control of Mercury from Electric Generating Units (Establishes Mercury emission cap for coal fired electric generating units)	06-09-06	06-28-06				Anticipate Filing 10/02/06			

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** Last day to meet rule effective date shown.

State Air Quality Plans Status Report

1

July 10, 2006

Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Missouri SIP (Emission Statement Plan)	1/4/94	Complete 6/17/94	Approved 2/29/96	1/15/93	6/17/94					
Missouri SIP (St. Louis CO Maintenance Plan)	6/13/97	Complete 7/9/97	1/26/99 - EPA granted direct final approval - effective 3/29/99	No sanction clock applicable to nonclassifiable nonattainment areas.						
Missouri SIP (St. Louis 15% Rate of Progress (RoP) Plan)				1/14/94	7/13/95					
	1/13/95	7/13/95 - All three submittals found complete.	3/18/96 - EPA proposed partial approval of all plan elements except I/M program. EPA proposed partial disapproval due to failure to implement enhanced I/M program.	Sanction clock will start if EPA publishes limited disapproval of 15% plan.						
	7/11/95									
	7/11/95									
	5/1/97	N/A (This action only addresses approvability)							Plan revised to clarify Reid vapor pressure (RVP) waiver demonstration.	
11/12/99	Complete 12/22/99	Approved 5/18/00							Plan revised to include Inspection/Maintenance (I/M) and reformulated gasoline (RFG) provisions.	
Missouri SIP (St. Louis Contingency Plan)	10/6/97	Complete 10/8/97	4/19/01 - EPA proposed approval Approved 6/26/01	4/11/96	10/8/97					Public hearing 7/24/97. MACC adopted Plan 8/28/97. MACC adopted Solvent Metal Cleaning rule 2/3/98. On 5/18/00, EPA approved Solvent Metal Cleaning rule as part of 15% ROP plan (includes Tier II and low sulfur gasoline).
Missouri SIP (St. Louis Attainment Demonstration Plan)				6/22/95	4/22/96					
	10/25/95	Complete 4/22/96	4/17/00 - EPA proposed 8/3/00 - EPA reopened public comment period until 8/14/00.							Plan revised to comply w/ new Ozone National Ambient Air Standards (NAAQS) and transport SIP call. MACC adopted Plan 11/8/99. On 1/19/00, DNR submitted supplemental model report. Additional modeling submitted 6/29/00. Supplemental model report presented at 8/31/00 MACC public hearing. MACC adopted Plan 9/21/00.
	11/2/00		4/3/01 - EPA proposed approval Approved 6/26/01 (Court vacated)							On 6/26/01, EPA withdrew 3/19/01 attainment determination and approved attainment date extension to 11/15/04 and mobile source emissions budgets. On 11/25/02, US 7 th Circuit Court of Appeals ruled against EPA as follows: 1) EPA has no authority to grant attainment date extension; 2) 6/26/01 rule extending St. Louis attainment date vacated; 3) directed EPA to promulgate final rule classifying St. Louis as serious Ozone nonattainment area.
	2/28/01									
12/13/02		1/30/03 - EPA proposed to approve revised mobile budgets Approved 5/12/03							MOBILE6 model released 1/29/02. Revised mobile budgets based on Mobile 6 model presented to MACC at public hearings 10/23/02 (St. Louis) and 10/24/02 (Kirkville). MACC adopted Plan 12/5/02.	
Missouri SIP (Redesignation Demonstration and Maintenance Plan for Missouri Portion of St. Louis Ozone Nonattainment Area)	12/5/02	12/19/02	1/30/03 - EPA proposed approval of redesignation demonstration and maintenance plan. Approved 5/12/03							Plan and redesignation request presented to MACC at public hearing 10/23/02 (St. Louis) and 10/24/02 (Kirkville). MACC adopted Plan 12/5/02.
Missouri SIP (New Source Review Plan)				1/15/93	6/17/94					
	4/6/94	Complete 6/17/94	Approved 2/29/96							

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**State Air Quality Plans Status Report
July 10, 2006**

3

Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Missouri SIP (Inspection/Maintenance (I/M) Plan)				1/15/93	9/1/94					
	9/1/94 (Temporary rule)	Complete 9/1/94 Contingent on Plan revision submittal of permanent rule	3/18/96 - EPA proposed disapproval of I/M Plan (lack of adequate resources to implement) Approved 5/18/00							Contract awarded 2/24/99 and testing begins 4/5/00. Over 4,984,153 vehicles tested since I/M program start. In 2003, General Assembly did not renew appropriations for additional I/M station in South County.
	7/11/95 (Permanent rule)			Sanction clock starts if EPA publishes final disapproval						
	12/9/02	12/30/02	5/12/03 - EPA approved I/M rule revisions - effective 5/12/03							MACC adopted proposal implementing on-board diagnostics (OBD) testing 4/25/02 (advisory-only). MACC adopted rule implementing OBD testing 8/29/02.
	10/2/03	12/1/03								MACC adopted revised Plan to incorporate rule and legislative changes 8/23/03.
										Plan being revised to incorporate HB 697 legislative changes. On 6/6/05, pass/fail OBD tests (<1996 vehicles) started. On 7/22/05, 8/5/05, 8/19/05 and 9/1/05, DNR/EPA hosted St. Louis meetings (I/M Summit) to consider new I/M program designs beyond 2007 to meet 8-hr Ozone SIP obligation (presented current Ozone air quality data and federal requirements). DNR released white paper documenting discussed concepts and preferences. On 9/15/05, I/M workgroup met w/ Rep. St. Onge (Missouri House Transportation Chair) to discuss 2006 legislative session and make plans to establish workgroup to identify each agency's needs for statewide vehicle safety, St. Louis Ozone nonattainment area vehicle emission testing program and statewide vehicle registration program. From I/M Summit feedback, workgroup will develop legislative proposal that could be passed during 2006 General Assembly and implemented by 9/1/07 (end of contract w/ Environmental Systems Products Holdings Inc. (ESP) Missouri. Late October 2005, started rulemaking development. On 10/11/05, I/M workgroup met w/ Rep. St. Onge and Rep. Lembke to discuss 2006 legislative session. I/M technology open house/trade show held 12/3/05 to provide legislators and decision makers with the various types of technology available for vehicle inspections.
Missouri SIP (NOx RACT Plan)				7/6/94	7/3/96	1/6/96	7/3/96			
	11/30/95 (Waiver)									Submitted waiver application for Clean Air Act (CAA) amendments Section 182(f) 11/30/95. EPA issues transport SIP call 10/10/97.
	4/26/96 (Draft Plan) 7/1/96 (Final Plan)	Complete 7/3/96								NOx RACT Plan identifying NOx RACT as the NOx limitations required for utility boilers under Title IV acid rain program being submitted. Public hearing for proposed Plan 5/30/96. MACC adopted proposed Plan 6/27/96.
	11/12/99	Complete 12/22/99	Approved 5/18/00							Incorporates new NOx RACT rule.
Missouri SIP (NOx Transport Plan)	8/1/05	12/2/05	6/5/06 - EPA proposed approval of NOx Transport Plan							On 3/3/00, court ruled on NOx SIP call petitions and removed Missouri from NOx SIP call. EPA approved statewide NOx rule 12/28/00. Proposed NOx SIP call for Missouri released 2/23/02. On 4/21/04, EPA finalized Phase II NOx SIP call. Missouri to submit SIP meeting full NOx SIP call by 5/1/05. Utility Workgroup meetings 10/19/04 (non-electricity generating units (non-EGUs) and 10/25/04 (EGUs). On 12/8/04, EGU workgroup reached agreement in concept on proposed EGUs and non-EGU boilers rules. On 1/31/05, met w/ cement kiln industry and reached consensus on draft cement kiln rule. Public hearing for 3 new NOx rules 4/28/05. MACC adopted rules 5/26/05. Public hearing for NOx SIP call Emissions Budget Demonstration for Missouri 5/26/05. MACC adopted Budget Demonstration 6/30/05.

State Air Quality Plans Status Report

July 10, 2006

4

Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Missouri SIP (Kansas City 8-Hour Ozone Plan)										On 8/1/03, DNR submitted MACC adopted boundary recommendation to EPA. On 4/30/04, EPA designated Kansas City as Unclassifiable/ Attainment for 8-hr Ozone NAAQS. Action effective 6/15/04. On 9/10/04, Mid-America Regional Council (MARC) hosted community workshop to discuss alternative strategies to achieve compliance w/ new 8-hr Ozone NAAQS and long-term clean air. On 12/21/04, DNR submitted letter to EPA to certify monitoring data and to recommend Kansas City be redesignated as Attainment for 8-hr Ozone NAAQS. On 3/29/05, MARC approved Clean Air Action Plan (CAAP). On 5/3/05, EPA redesignated Kansas City as Attainment for 8-hr Ozone NAAQS. Final rule effective 6/2/05. On 7/12/05, MARC hosted meeting w/ EPA, Kansas Dept of Health and the Environment (KDHE) and DNR to initiate discussions on SIP tasks. New 8-hr Ozone Maintenance Plan deadline 6/15/07. Program working on developmental and background information, and reviewing other States maintenance plans to identify innovative control measures previously not considered. On 8/4/05, conference call w/ EPA, KDHE and DNR to discuss draft plan and 8-hr Ozone modeling study schedule. On 10/17/05 and 11/1/05, conference calls w/ KDHE and DNR to discuss modeling and emissions inventory status. On 11/14/05, Contingency Measures workgroup met to review initial contingency control measures listing. On 1/10/06, Contingency Measures workgroup met to narrow down the list of contingency measures to pursue for implementation. SIP submittal deadline 6/15/07. On 5/31/06 Contingency Measures workgroup held a conference call to discuss the contingency control measures still being evaluated. Draft contingency control measures were presented to the MARC Air Quality Forum on 6/13/06. Forum members were given the opportunity to ask questions and make comments on the proposed control measures.
Missouri SIP (Kansas City Maintenance Plan)										On 2/5/96, rec'd EPA formal notice of Ozone violation (based on EPA quality assured data) in Kansas City metro area which requires contingency measures. Contingency measures recommendations presented at 8/29/96 MACC meeting.
	3/16/98	Complete 5/21/98	1/26/99 - EPA granted approval (RFG incorporated by 2000) Approved 4/24/02							MACC adopted revised Plan 2/3/98. US Court of Appeals struck down EPA's rule for use of RFG in former nonattainment areas. On 8/22/00, Missouri governor committed to implement 7.0 RVP gasoline, a cold cleaning solvent regulation and a pressure vacuum relief valve requirement for gasoline dispensing. RVP rule and fuel waiver submitted to EPA on 5/21/01.
	12/12/02	Complete 12/30/02	9/16/03 - EPA proposed approval Approved 1/13/04							MOBILE6 model released 1/29/02. MACC adopted subsequent 10-yr plan 7/25/02. MACC adopted revised mobile budgets 12/5/02. On 6/5/03, EPA informed public that revised motor vehicle emission budgets are adequate for conformity purposes.
	9/6/05	Complete 3/22/06	6/26/06 - EPA proposed approval unless adverse comments received by 7/26/2006							Plan revision required when 1-hr Ozone NAAQS revoked 6/15/05. On 5/3/05, conference call w/ KDHE and MARC to discuss options for addressing 1-hr Ozone Maintenance Plan revocation. 2002 Maintenance Plan revised to include 8-hr Ozone NAAQS and 8-hr Ozone NAAQS contingency measure triggers. Public hearing for 2005 revised Plan 6/30/05. MACC adopted 2005 revised Plan 7/21/05.

**State Air Quality Plans Status Report
July 10, 2006**

5

Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Title V Operating Permit Plan (Although not a SIP, plan has similar requirements and impacts)				11/15/93	3/2/95					
	1/13/95	Complete 3/2/95	4/11/96 - EPA granted interim approval of operating permit program Approved 5/14/97							Operating Permit Program effective date 5/13/96. Full approval effective 6/13/97.
	5/6/03	Complete 5/22/03	9/17/03 - EPA granted direct final approval - effective 11/17/03							On 3/25/02, EPA issued Notice of Deficiency for the Operating Permit Program because some State requirements do not comply w/ CAA and 40 CFR 70 requirements. MACC adopted Plan revision and rule change 12/5/02.
	1/3/06	Complete 4/12/06								Program working on Plan revision to streamline Basic and Intermediate Operating Permits to minimize workload for both industry and program staff while maintaining NAAQS. As result of stakeholder review, MACC approved rule variance while amended rule is being developed. Public hearing for rule amendment 3/31/05. MACC adopted rule amendment 4/28/05.
Missouri SIP (Update outdated local codes/ordinances)	3/12/97	Complete 4/24/97	4/22/98 - EPA granted direct final approval - effective 6/22/98	Sanction clock not applicable.						Required to comply w/ Title V Program.
	12/22/98	Complete 4/14/99	12/22/99 - EPA granted direct final approval - effective 2/22/00							Updated Kansas City local incinerator codes.
	5/22/00	Complete 6/15/00	10/26/00 - EPA granted direct final approval - effective 12/26/00							Revised to reflect new St. Louis City ordinance 64749.
	10/15/03	11/6/03	12/9/03 - EPA granted direct final approval - effective 2/9/04							Plan revised to reflect new St. Louis City ordinance 65645. Public hearing for Plan revision 7/24/03. MACC adopted Plan 8/28/03.
Missouri SIP (Glover Lead Plan - Doe Run/formerly ASARCO)	8/13/96	Complete 9/18/96	Approved 5/5/97	8/2/93	9/18/96	2/2/95	9/18/96	8/2/95	9/18/96	Air quality monitoring data continues to show Lead NAAQS attainment after controls installed. Amended consent decree filed Sept-99.
	7/31/00	Complete 9/5/00	12/5/01 - EPA proposed approval - Approved 4/16/02							Plan revised to change ownership via new consent decree. MACC adopted Plan revision 5/25/00.
	1/26/04		6/30/04 - EPA proposed approval effective 8/30/04 unless adverse comments received by 7/30/2004 Direct final rule withdrawn 8/24/04 due to adverse comment 10/29/04 - EPA granted final approval - effective 11/29/04							On 12/1/03, Glover smelter ceased operations w/ plans to reopen in future. DNR advised Doe Run that certain emission compliance and maintenance plan reporting requirements could be discontinued until plant restart. DNR discontinued monitoring June 2004. DNR retains ability to restart monitoring w/ sufficient lead time should plant begin smelting. On 10/29/04, EPA published final rule addressing adverse comment, redesignated area to attainment for Lead and approved Maintenance Plan. Doe Run utilizing unloading building to store and transport concentrate ores.
Missouri SIP (Doe Run Resource Recycling Division Lead Plan)				1/4/94	12/15/94					
	7/2/93 6/30/94 11/23/94	12/15/94 - All three submittals together found complete	8/4/95 - EPA approved all three submittals together							8 continuous quarters of Lead NAAQS attainment.
	5/12/00	Complete 8/2/00	10/18/00 - EPA granted direct final approval - effective 12/18/00							Facility now referred to as Doe Run Resource Recycling Division located near Bixby, MO.
	4/29/03	Complete 8/13/03	8/24/04 - EPA granted direct final approval - effective 10/25/04							Plan revised updating emission limits to reflect current operations. Public hearing for Plan revision and rule change 10/24/02. MACC adopted Plan 12/5/02.
										Plan to be revised to reflect new prevention of significant deterioration (PSD) permit production conditions. Rec'd Doe Run mining emissions characterization analysis to confirm NAAQS compliance. Awaiting review by Permits Section and Air Quality Analysis Section prior to proceeding w/ Plan revision. Visited site 6/13/05.

**State Air Quality Plans Status Report
July 10, 2006**

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Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Missouri SIP (Herculaneum Lead Plan - Doe Run)				1/4/94	12/15/94					
	6/3/91 7/2/93 6/30/94 11/23/94	Complete 7/9/91 Complete 9/30/93 Complete 2/23/94 Complete 12/15/94	Limited approval rec'd 3/6/1992 Full approval on all 4 submittals together on 5/5/95							Area failed to attain Lead NAAQS for 3 rd quarter of 1995. All contingency measures implemented and area still failed to attain Lead NAAQS.
	1/9/01	Complete 1/18/01	12/5/01 - EPA proposed approval Approved 4/16/02	7/28/99	1/18/01					On 12/7/00, MACC adopted Plan revision and Lead rule. Court signed Consent Judgement 1/5/01. DNR/EPA met w/ Doe Run to discuss NOV settlement proposal for Doe Run to install an additional set of permanent and enforceable Lead emission controls to avoid future violations and reduce air impacts. Doe Run-Herc has implemented 2 of the 6 proposed additional emission control projects. The DNR Broad Street monitor has recorded several recent violations (1Q 2005 - 1.88 ug/m3, 2Q 2005 - 1.46um/m3, 3Q 2005 - 1.60 ug/m3, 1Q 2006 - 1.67 ug/m3). Doe Run has been issued notices of violation for each of these quarters - NOV issued on 9/8/05 triggered the production cap contingency measure.
	2/6/06									Doe Run requested to amend SIP to allow facility to change baghouse bag vendors to increase bag life, and to reduce maintenance and and energy costs. Public hearing on Consent Judgement modification 6/30/05. MACC adopted Consent Judgement modification 7/21/05.
										On 12/19/05, EPA issued a proposed SIP call for Doe Run-Herculaneum nonattainment area. On 1/12/06, DNR provided comments supporting EPA's proposed implementation plan deadline. On 4/14/06, EPA published final SIP call which established new SIP submittal deadline of 4/14/07. On 6/22/06 DNR hosted a public meeting to show SIP development plans and to receive public input.
111(d) Plan-Municipal Solid Waste Landfills	1/26/98		4/24/98 - EPA granted direct final approval - effective 6/23/98							Original Plan
	8/31/00	Complete 9/21/00	11/15/00 - EPA granted direct final approval - effective 1/16/01							Plan revised to reflect recent EPA Emission Guidelines revisions. Public hearing for Plan revision 6/29/00. MACC adopted Plan revision 7/27/00.
111(d) Plan-Hospital, Medical/Infectious Waste Incinerators	6/15/99		8/19/99 - EPA granted direct final approval - effective 10/19/99							Original Plan
	7/13/01		10/21/01 - EPA granted direct final approval - effective 12/11/01							Plan revised to assure consistency with federal definitions. Public hearing for Plan revision 2/6/01. MACC adopted Plan revision 3/29/01.
Missouri SIP (Small Business Stationary Source Technical and Environmental Compliance Assistance Program)	3/10/93	Complete 5/11/93	Approved 3/10/93							This program being implemented and operated by the environmental assistance office. Awaiting new administration appointments.

State Air Quality Plans Status Report

July 10, 2006

Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Missouri SIP (Regional Haze Plan)										Final federal regional haze rule published 7/1/99. Final rule SIP submittal deadline May 2008. Tasks complete: previous yrs grant applications (EPA approved), RPB structure/budget, by-laws, articles of incorporation, individual workgroup plans, and workgroup chairs guidelines. Jim Kavanaugh representing DNR on Policy Oversight Group. On 11/15/04, Best Available Retrofit Technology (BART) survey sent to industries to determine affected BART sources. 20 sources identified as potential BART eligible (12 of the 20 are electric utilities exempt from BART under Clean Air Interstate Rule (CAIR)). For individual workgroup progress, see Web site www.cenrap.org. See Attachment A for schedule timeline.
Missouri SIP (New Source Review (NSR) Reform)	2/25/05	Complete 8/30/05	On 4/14/06, EPA proposed approval of most revisions without taking action on some revisions due to court decision to remand portion of rules regarding exemption from recordkeeping back to EPA. Approved 6/27/06							On 12/31/02, EPA published final New Source Review (NSR) Reform rule. In 2003, New York and other states challenged rule objecting to actual-to-projected-actual emission test rather than potential-to-potential emissions test. On 6/24/05, US Appeals Court (DC Circuit) ruled to: (1) uphold past actual-to-projected future actual emissions use, a 10-yr lookback for selecting 2-yr baseline and statewide applicability limits; (2) vacate Clean Unit applicability test and Pollution Control Project exemption; (3) remand recordkeeping provisions back to EPA for explanation or appropriate alternative. Draft rule 60-day public comment period ended 8/25/05. On 10/14/05, EPA published proposed rule to revise emissions test for existing electric generating units (EGUs) subject to regulations governing prevention of significant deterioration (PSD) and nonattainment major NSR.
Missouri SIP (Clean Air Interstate Rule (CAIR) and Clean Air Mercury Rule (CAMR))										On 3/15/05, EPA issued the Clean Air Interstate Rule (CAIR) to reduce air pollution that moves across state boundaries, and issued the Clean Air Mercury Rule (CAMR) to permanently cap and reduce mercury emissions from coal-fired power plants. On 06/27/05, EPA Region 5 & 7 states workgroup met to discuss rule implementation issues and model rule. On 8/17/05, workgroup mtg to discuss process of developing responses from Missouri. On 8/24/05, EPA proposed Federal Implementation Plan (FIP) to Reduce Interstate Transport of Fine Particulate Matter and Ozone, and a FIP for CAIR for May 2006 implementing a federal regional trading program identical to CAIR's SO2/NOx program allowing SIP development w/ FIP revocation or partial SIP implementation w/ the FIP remaining in place. On 10/21/05, EPA announced it will reconsider certain aspects of CAIR and CAMR regarding delisting and cap-and-trade. On 12/5-6-05, EPA Region 7 hosted workshop for entities to meet w/ EPA's Clean Air Markets Division. For workgroup progress, see Web site www.dnr.mo.gov/env/apcp/cair_camr/cair_camr.htm On 2/10/06, workgroup met and discussed draft rules. On 6/16/06, work group met and discussed draft rules. On 6/28/06, draft CAIR/CAMR rules were put on public notice for RIR comment period. CAIR SIP submittal deadline Sep' 06. CAMR SIP submittal deadline Nov' 06.

**State Air Quality Plans Status Report
July 10, 2006**

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Plan Commitment	Plan Submitted to EPA *	EPA's Plan Completion Finding *	EPA's Plan Approval Finding *	Sanction Clock Date **		Sanctions				Comments
						EPA Impose 2:1 Emissions Offset Ratio (18 mos after clock start)		EPA Withholds Highway Funds (24 mos after clock start)		
				Start	Stop	Start	Stop	Start	Stop	
Missouri SIP (Revised NAAQS Plan)										<u>Ozone</u> Continuing to monitor 8-hr Ozone NAAQS. On 6/2/03, EPA published proposed 8-hr Ozone NAAQS rule. On 4/30/04, EPA published area designations and classifications for 8-hr Ozone NAAQS (Kansas City as Unclassifiable/Attainment and St. Louis as Moderate). On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. On 12/21/04, DNR submitted letter to EPA to certify monitoring data and to recommend Kansas City redesignation as Attainment for 8-hr Ozone NAAQS. On 5/3/05, EPA redesignated Kansas City as Attainment for 8-hr Ozone NAAQS. Final rule effective 6/2/05. On 11/29/05, EPA issued final phase II 8-hour ozone rule.
										<u>PM2.5</u> Continuing to monitor PM2.5. On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. On 1/5/05, EPA published area designations/classifications for Fine Particle NAAQS (St. Louis as Unclassifiable/Attainment). On 9/8/05, EPA proposed PM2.5 implementation rule. Proposal describes implementation framework and SIP requirements to attain NAAQS. SIP submittal deadline set for April 2008 and attainment deadline set for 2010. Since EPA proposed several alternative approaches, program will comment to make State's preferences known. On 11/1/05, EPA published proposed PM2.5 NAAQS rule. On 12/20/05, EPA proposed new particulate matter standards.
										<u>PM10</u> Area designation recommendation letter due to EPA by 7/17/98. Area designation recommendations submitted 8/12/98. On 2/27/01, US Supreme Court upheld revised NAAQS. On 3/26/02, US Appeals Court (DC Circuit) upheld revised NAAQS. On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. On 12/20/05, EPA proposed new particulate matter standards.

Note: Shaded and bold face type areas indicate changes and/or additions from previous report.

* Failure to meet any of these dates or Plan requirements, starts the 18 month sanction clock.

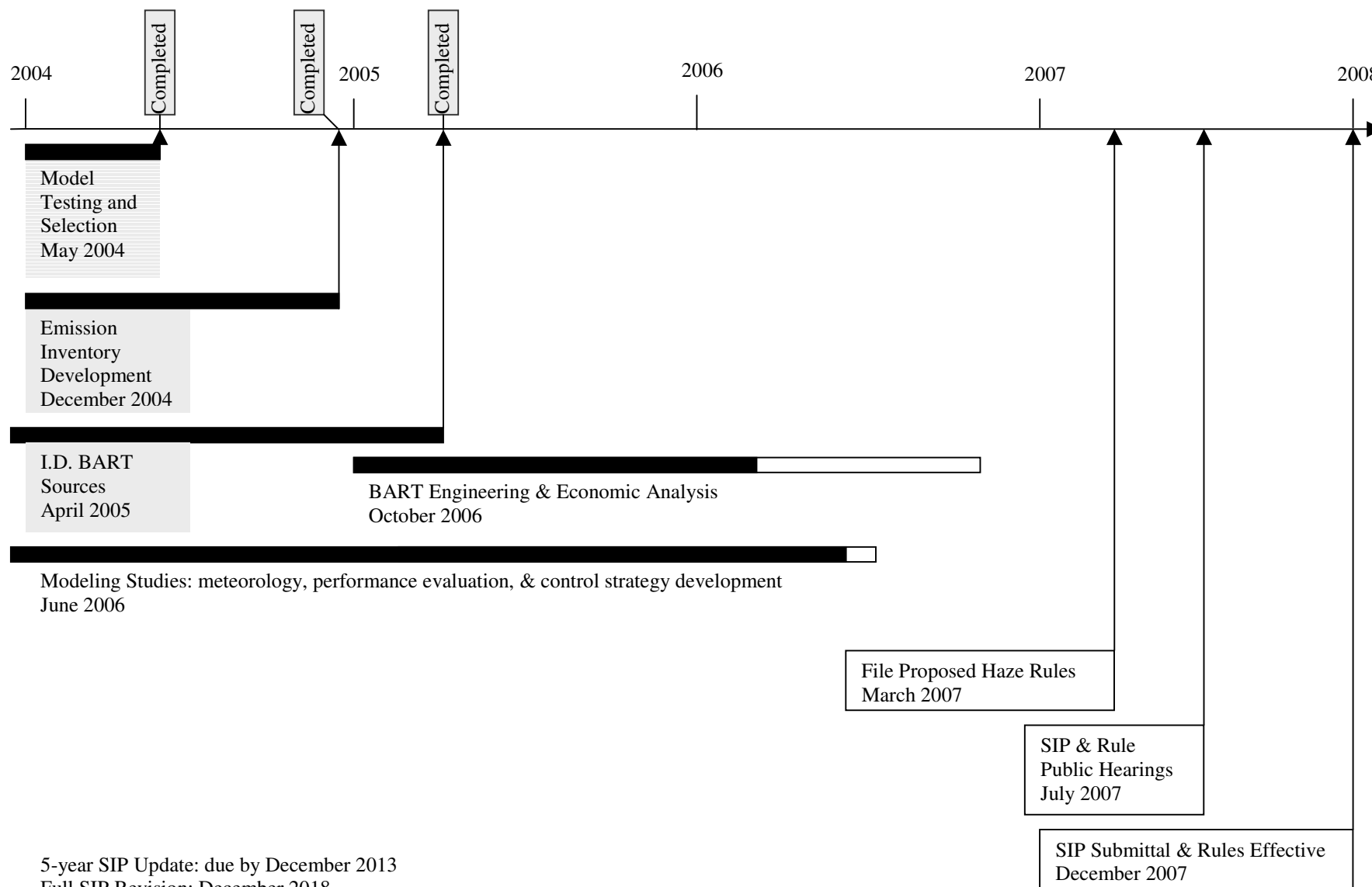
If requirement is not met within 18 months, the 2:1 emissions offset ratio sanction is imposed.

If requirement is still not met within 24 months, the sanction that withholds highway funds is imposed.

** Sanction clock starts with: 1) EPA letter to Governor for failure to submit or finding of incompleteness; or 2) EPA Federal Register final notice of Plan disapproval or nonimplementation.

Sanction clock stops with EPA letter to department director of finding of completeness.

Attachment A
State Air Quality Status Report
Regional Haze SIP Timeline



Inspections by Station from June 1 through June 30

Station #	Station Name	Lanes	Vehicles Inspected	Per Lane Per Day	Average Wait Time*
1	West St. Charles County	3	3956	50.72	5.81
2	East St. Charles County	3	6357	81.50	8.64
3	North County - Florissant	4	7944	76.38	10.21
4	West County - Chesterfield	2	3027	58.21	3.08
5	Mid County - Olivette	5	8548	65.75	6.73
6	North City - West Florissant	3	3210	41.15	3.21
7	West County - Manchester	4	6711	64.53	5.62
8	South City - South Kingshighway	5	9031	69.47	4.82
9	North Jefferson - Arnold	4	8770	84.33	4.73
10	South Jefferson - Herculaneum	2	3378	64.96	2.21
11	North Franklin - Union	4	1745	16.78	
12	South Franklin - St. Clair	2	685	13.17	
15	Mobile Van -	1	444	17.08	
16	Mobile Van -	1	724	27.85	
Total for Month			64,530		5.51
Overall Fail Rate for Month			9%		
Passed on 1st retest for Month			57%		
Total Waivers Issued for Month			134		
RSD			9,946		
Hybrid			5,295		
Total RapidScreen for Month			15,241		
Grand Total for Month			79,771		

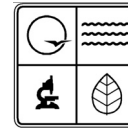
*Calculated from the time ticket is taken until position in front of station lane door



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of May 20, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of May 15-20, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	11,114	3,093,939
Number of waivers (enhanced area):	23	34,072
Number of passing tests and retests in Franklin County:	699	282,475
Number of waivers (Franklin Co.):	3	1,559
RapidScreen notices redeemed:	2,391	925,700
Total number of vehicles (passing, waived or RapidScreened) through system:	14,230	4,337,745
RapidScreen notices mailed (through June 2006 registrants):	N/A	1,262,828
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	7.92%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	812 (54%)	189,853 (65%)

Average wait times (enhanced testing area):	5.00 Min. (overall average)	5.40 Min. (75-day average)
West St. Charles County	4.88 Min.	5.56 Min.
East St. Charles County	3.45 Min.	4.91 Min.
North County – Florissant	9.00 Min.	8.28 Min.
West County – Chesterfield	2.27 Min.	2.35 Min.
Mid County – Olivette	6.06 Min.	6.19 Min.
North City – West Florissant	2.18 Min.	3.94 Min.
West County – Manchester	4.10 Min.	4.05 Min.
South City – South Kingshighway	5.82 Min.	6.43 Min.
North Jefferson County – Arnold	4.02 Min.	4.86 Min.
South Jefferson Co. – Herculaneum	3.72 Min.	2.79 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5							
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.01% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

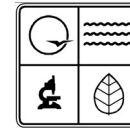
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of May 27, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of May 22-27, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	11,292	3,105,231
Number of waivers (enhanced area):	28	34,100
Number of passing tests and retests in Franklin County:	726	283,201
Number of waivers (Franklin Co.):	1	1,560
RapidScreen notices redeemed:	2,363	928,063
Total number of vehicles (passing, waived or RapidScreened) through system:	14,410	4,352,155
RapidScreen notices mailed (through July 2006 registrants):	19,279	1,282,107
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	8.14%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	926 (56%)	190,779 (65%)

Average wait times (enhanced testing area):	5.94 Min. (overall average)	5.13 Min. (75-day average)
West St. Charles County	6.00 Min.	5.35 Min.
East St. Charles County	6.80 Min.	5.02 Min.
North County – Florissant	11.37 Min.	8.35 Min.
West County – Chesterfield	2.80 Min.	2.28 Min.
Mid County – Olivette	6.44 Min.	6.09 Min.
North City – West Florissant	1.96 Min.	3.36 Min.
West County – Manchester	5.14 Min.	4.06 Min.
South City – South Kingshighway	5.87 Min.	5.35 Min.
North Jefferson County – Arnold	4.64 Min.	4.51 Min.
South Jefferson Co. – Herculaneum	2.38 Min.	2.63 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5							
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.03% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

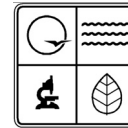
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of June 3, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of May 29-June 3, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	9,633	3,114,864
Number of waivers (enhanced area):	28	34,128
Number of passing tests and retests in Franklin County:	680	283,881
Number of waivers (Franklin Co.):	0	1,560
RapidScreen notices redeemed:	2,470	930,533
Total number of vehicles (passing, waived or RapidScreened) through system:	12,811	4,364,966
RapidScreen notices mailed (through July 2006 registrants):	n/a	1,282,107
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	9.53%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	935 (56%)	191,714 (65%)

Average wait times (enhanced testing area):	6.03 Min. (overall average)	5.19 Min. (75-day average)
West St. Charles County	7.90 Min.	5.55 Min.
East St. Charles County	6.35 Min.	5.06 Min.
North County – Florissant	10.42 Min.	8.75 Min.
West County – Chesterfield	2.54 Min.	2.32 Min.
Mid County – Olivette	5.76 Min.	6.18 Min.
North City – West Florissant	3.32 Min.	3.10 Min.
West County – Manchester	3.58 Min.	4.05 Min.
South City – South Kingshighway	7.21 Min.	5.36 Min.
North Jefferson County – Arnold	5.35 Min.	4.52 Min.
South Jefferson Co. – Herculaneum	2.82 Min.	2.56 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	5						
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.02% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

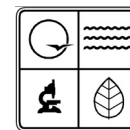
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of June 10, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of June 5-10, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	10,752	3,125,616
Number of waivers (enhanced area):	34	34,162
Number of passing tests and retests in Franklin County:	653	284,534
Number of waivers (Franklin Co.):	1	1,561
RapidScreen notices redeemed:	5,382	935,915
Total number of vehicles (passing, waived or RapidScreened) through system:	16,822	4,381,788
RapidScreen notices mailed (through July 2006 registrants):	n/a	1,282,107
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	7.95%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	916 (57%)	192,630 (65%)

Average wait times (enhanced testing area):	5.43 Min. (overall average)	4.56 Min. (75-day average)
West St. Charles County	4.84 Min.	4.60 Min.
East St. Charles County	6.84 Min.	5.46 Min.
North County – Florissant	7.62 Min.	4.87 Min.
West County – Chesterfield	2.43 Min.	1.75 Min.
Mid County – Olivette	7.48 Min.	6.38 Min.
North City – West Florissant	2.56 Min.	3.47 Min.
West County – Manchester	5.81 Min.	3.23 Min.
South City – South Kingshighway	4.13 Min.	4.01 Min.
North Jefferson County – Arnold	4.87 Min.	4.41 Min.
South Jefferson Co. – Herculaneum	2.66 Min.	3.49 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	5						
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.02% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

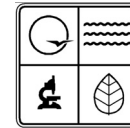
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of June 17, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of June 12-17, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	11,062	3,136,678
Number of waivers (enhanced area):	28	34,190
Number of passing tests and retests in Franklin County:	697	285,231
Number of waivers (Franklin Co.):	0	1,561
RapidScreen notices redeemed:	3,212	939,127
Total number of vehicles (passing, waived or RapidScreened) through system:	14,999	4,396,787
RapidScreen notices mailed (through July 2006 registrants):	n/a	1,282,107
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	8.01%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	887 (57%)	193,517 (65%)

Average wait times (enhanced testing area):	5.39 Min. (overall average)	4.60 Min. (75-day average)
West St. Charles County	4.75 Min.	5.36 Min.
East St. Charles County	7.59 Min.	6.46 Min.
North County – Florissant	9.10 Min.	7.14 Min.
West County – Chesterfield	3.45 Min.	2.01 Min.
Mid County – Olivette	7.32 Min.	4.92 Min.
North City – West Florissant	2.21 Min.	2.96 Min.
West County – Manchester	4.16 Min.	2.97 Min.
South City – South Kingshighway	3.94 Min.	3.81 Min.
North Jefferson County – Arnold	4.21 Min.	5.77 Min.
South Jefferson Co. – Herculaneum	2.19 Min.	1.76 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	5						
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.06% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

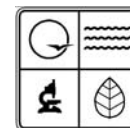
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of June 24, 2006

The goal of the Gateway Clean Air Program is to improve St. Louis air quality.



**Missouri
Department
of Natural
Resources**

	Week of June 19-24, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	11,660	3,148,338
Number of waivers (enhanced area):	28	34,218
Number of passing tests and retests in Franklin County:	768	285,999
Number of waivers (Franklin Co.):	1	1,562
RapidScreen notices redeemed:	2,744	941,871
Total number of vehicles (passing, waived or RapidScreened) through system:	15,201	4,411,988
RapidScreen notices mailed (through August 2006 registrants):	16,932	1,299,039
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	7.97%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	939 (57%)	194,456 (65%)

Average wait times (enhanced testing area):	6.23 Min. (overall average)	4.60 Min. (75-day average)
West St. Charles County	7.14 Min.	4.16 Min.
East St. Charles County	9.19 Min.	3.80 Min.
North County – Florissant	11.37 Min.	6.31 Min.
West County – Chesterfield	3.25 Min.	2.45 Min.
Mid County – Olivette	7.04 Min.	6.12 Min.
North City – West Florissant	2.20 Min.	2.32 Min.
West County – Manchester	6.27 Min.	2.91 Min.
South City – South Kingshighway	3.66 Min.	6.03 Min.
North Jefferson County – Arnold	4.99 Min.	3.70 Min.
South Jefferson Co. – Herculaneum	2.28 Min.	1.75 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	6						
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.05% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

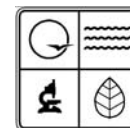
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of July 1, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of June 26-July 1, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	13,169	3,161,507
Number of waivers (enhanced area):	31	34,249
Number of passing tests and retests in Franklin County:	937	286,936
Number of waivers (Franklin Co.):	2	1,564
RapidScreen notices redeemed:	2,577	944,448
Total number of vehicles (passing, waived or RapidScreened) through system:	16,716	4,428,704
RapidScreen notices mailed (through August 2006 registrants):	n/a	1,299,039
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	9.71%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	1,234 (56%)	195,690 (65%)

Average wait times (enhanced testing area):	7.08 Min. (overall average)	4.79 Min. (75-day average)
West St. Charles County	5.74 Min.	2.45 Min.
East St. Charles County	11.66 Min.	1.96 Min.
North County – Florissant	12.14 Min.	6.63 Min.
West County – Chesterfield	3.35 Min.	1.52 Min.
Mid County – Olivette	6.12 Min.	8.98 Min.
North City – West Florissant	5.40 Min.	2.62 Min.
West County – Manchester	7.24 Min.	2.48 Min.
South City – South Kingshighway	6.76 Min.	5.18 Min.
North Jefferson County – Arnold	4.92 Min.	4.02 Min.
South Jefferson Co. – Herculaneum	1.98 Min.	1.75 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	6	6					
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.03% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

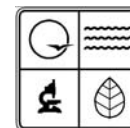
Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of July 8, 2006

*The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.*



**Missouri
Department
of Natural
Resources**

	Week of July 3-8, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	9,521	3,171,028
Number of waivers (enhanced area):	20	34,269
Number of passing tests and retests in Franklin County:	537	287,473
Number of waivers (Franklin Co.):	2	1,566
RapidScreen notices redeemed:	2,353	946,801
Total number of vehicles (passing, waived or RapidScreened) through system:	12,433	4,441,137
RapidScreen notices mailed (through August 2006 registrants):	n/a	1,299,039
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	7.78%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	739 (55%)	196,429 (65%)

Average wait times (enhanced testing area):	5.88 Min. (overall average)	4.89 Min. (75-day average)
West St. Charles County	5.08 Min.	5.68 Min.
East St. Charles County	7.98 Min.	3.27 Min.
North County – Florissant	10.81 Min.	8.22 Min.
West County – Chesterfield	4.22 Min.	1.51 Min.
Mid County – Olivette	5.82 Min.	3.52 Min.
North City – West Florissant	3.44 Min.	1.98 Min.
West County – Manchester	5.98 Min.	1.95 Min.
South City – South Kingshighway	5.46 Min.	4.46 Min.
North Jefferson County – Arnold	3.81 Min.	2.25 Min.
South Jefferson Co. – Herculaneum	1.69 Min.	1.35 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	6	6					
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.07% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

Web site: www.gatewaycleanair.com

MEMORANDUM

DATE:

TO: Missouri Air Conservation Commission

THROUGH: Daniel R. Schuette, Director
Division of Environmental Quality

FROM: James L. Kavanaugh, Director
Air Pollution Control Program

SUBJECT: Attorney General's Office Referral Request – Marble Décor Incorporated (071 0154)

On October 19, 2004, staff from the Missouri Department of Natural Resources' St. Louis Regional Office (SLRO) conducted a routine air compliance inspection of Marble Décor Incorporated (Marble Décor) located at 70 Hi-Line Industrial Drive in Union, Franklin County, Missouri. The SLRO issued Notice of Violation (NOV) #2631SL due to the fact the facility had not submitted a Part 70 Operating Permit application as required by Construction Permit 092001-017. On December 7, 2004, the department's Air Pollution Control Program (APCP) gave Marble Décor three options to settle NOV #2631SL. The options were:

1. Marble Décor Incorporated must submit the Part 70 application to the APCP within 45 days of receipt of this letter. This will allow the facility to come into compliance with the construction permit as written.
2. Marble Décor Incorporated must request a construction permit amendment that removes the Part-70 application requirement, within 45-days of receipt of this letter. The APCP Construction Permit Unit must then agree to amend the permit and issue a revised construction permit. If submitted documentation is insufficient to support an amendment and the APCP must deny the request, Marble Décor, Incorporated must then submit the Part 70 application.
3. Marble Décor Incorporated must send a letter to the APCP requesting permit applicability within 45-days of receipt of this letter. If and when the APCP responds with a "No Part-70 Application Required" determination the facility will then be considered in compliance. If the determination concludes that a Part 70 Application is required, Marble Décor Incorporated must then submit the Part-70 application.

Marble Décor chose to request the APCP remove the Part-70 application requirement from Construction Permit 092001-017.

On January 18, 2005, the APCP received Marble Décor's inquiry concerning their request to remove the statement in Permit #092001-07 requiring a Part-70 operating permit application. On June 9, 2005, the APCP denied the request due to the fact Marble Décor failed to comply with Special Condition 1 in the permit requiring emissions for styrene to be less than ten tons per year in any consecutive 12-month period. The APCP determined the facility exceeded the ten-ton limitation from the 2003 Emission Inventory Questionnaire (EIQ). The 2003 EIQ for Marble Décor reported the resin and gelcoat processes emitted 12 tons of styrene for the year.

On June 27, 2005, the APCP issued NOV #65BN01AP to Marble Décor for failing to abide by all special conditions of construction Permit #092001-07.

The APCP sent a letter to Marble Décor on July 5, 2005. The letter stated "The APCP reviewed Marble Décor's situation and came to the conclusion the facility is now subject to 40 CFR 63 Subpart WWWW, "Reinforced Plastic Composites Production." The facility became subject to the Maximum Achievable Control Technology requirements of Subpart WWWW in 2003, 120 days after the facility exceeded the ten-ton Hazardous Air Pollutant limitations of styrene in construction permit #092001-07. Therefore, the facility is required to submit a Part 70 operating permit application immediately and is now subject to all notification, recordkeeping and reporting requirements of the Maximum Achievable Control Technology. According to the information reviewed by the APCP, Marble Décor failed to meet some of these requirements and is now subject to enforcement action." The APCP's July 5, 2005, letter further stated if Marble Décor could demonstrate the facility did not in fact exceed the styrene limitation, the APCP can reevaluate the need for enforcement action.

On August 15, 2005, the APCP received a packet of information from Marble Décor. The cover letter signed by Ms. Bethany L. Kohler, Office Assistant, stated Marble Décor remained under the ten-ton limit for styrene. The information included the 12-Month Rolling Totals for styrene. The information provided did indicate Marble Décor did not exceed the ten-ton styrene limit in 2003 as indicated in the EIQ. However, the information indicated the facility exceeded the ten-ton styrene limit in 2004 a total of four times. The rolling totals for June, July, August, and November 2004 were 10.26 tons, 10.33 tons, 10.52 tons and 10.12 tons respectively.

The above 12-Month Rolling Totals indicated Marble Décor did in fact exceed the ten-ton limit and a Part 70 Operating Permit is warranted.

The department's Environmental Assistance Office (EAO) staff discussed the 12-Month Rolling Totals and the styrene percentage of the gel coats and resins with Ms. Kohler. EAO staff indicated to the APCP by email on September 6, 2005, Ms. Kohler was reworking the monthly sheets to determine the styrene emissions.

On November 11, 2005, APCP staff spoke with Ms. Kohler and asked if she planned to respond to the information request. Ms. Kohler stated the facility was robbed on the weekend of November 5-6, 2005, and she planned to send a brief letter explaining the situation in the next few days. Ms. Kohler stated she would continue with her record search to determine if the facility had exceeded the ten-ton styrene limit and would submit a response by December 15, 2005. The APCP did not receive a response.

Missouri Air Conservation Commission
Page Three

On January 30, 2006, APCP staff again spoke with Ms. Kohler. Staff explained to Ms. Kohler if Marble Décor did not submit a response by February 10, 2006, the APCP would go forward with pursuit of civil penalties. Marble Décor did not submit a response by February 10, 2006.

At this time the APCP deems Marble Décor to be out of compliance with the following regulations 40 CFR 63 Subpart WWWW, "Reinforced Plastic Composites Production," Missouri Air Conservation Regulation 10 CSR 10-6.060, "Construction Permits Required," and Missouri Air Conservation Regulation 10 CSR 10-6.065, "Operating Permits."

In light of failure to resolve the violations with conference, conciliation and persuasion, the APCP requests the Attorney General to institute a civil action in a court of competent jurisdiction on behalf of the Missouri Air Conservation Commission and the department to resolve the above matter. I recommend approval of this action.

JLK:bnd

c: Lisa Hanlon, U.S. Environmental Protection Agency Region VII
Susan Heckenkamp, Air Pollution Control Program, Permits Section
Jeanine Hoeft, St. Louis Regional Office
Source file 071 0154

Reference Links

Department and Program Information

[Air Pollution Control Program](#)

[Department of Natural Resources](#)

[State of Missouri](#)

[Air Issues](#)

[Asbestos](#)

[DNR Calendar of Events](#)

[News Releases](#)

Rules

[Rules in Development](#)

[Code of State Regulations](#)

[Missouri Register](#)

[Missouri State Implementation Plan \(SIP\) Summaries and Federally Approved Regulations](#)

Commissions & Workgroups

[Air Program Advisory Forum](#)

[Missouri Air Conservation Commission \(MACC\)](#)

[Missouri Air Conservation Commission \(MACC\) Agenda](#)

[Clean Air Interstate Rule \(CAIR\) and Clean Air Mercury Rule \(CAMR\) Workgroup](#)

[Open Burning Workgroup](#)

[St. Louis 8-Hour Ozone and PM2.5 State Implementation Plan \(including Workgroup links\)](#)

Data Systems

[Missouri's Air Quality Data](#)

[Missouri Emissions Inventory System \(MoEIS\) Online](#)

[Missouri Emissions Inventory System \(MoEIS\) Updates](#)

Permits

[Draft Permits on Public Notice, Response to Comments and Final Permits](#)

[Issued Permits \(beginning January 2006\)](#)



MISSOURI DEPARTMENT OF NATURAL RESOURCES

DEPARTMENTAL OFFICES

Kansas City Area

- **Kansas City Regional Office**
500 NE Colbern Rd
Lee's Summit, MO 64086-4710
(816) 622-7000
FAX: (816) 622-7044
- **Department of Energy
Kansas City Plant / DNR - AIP**
2000 E. Bannister Rd.
P.O. Box 410202
Kansas City, MO 64141-0202
(816) 997-5790
FAX: (816) 997-3261
- **Kansas City Satellite Office**
4750 Troost Avenue
Kansas City, MO 64110
(816) 759-7313
FAX: (816) 759-7333
- **Northwest Missouri Satellite Office**
Northwest Missouri State University
Environmental Services, 800 University Drive
Maryville, MO 64468-6015
(660) 582-5210 or (660) 582-5290
FAX: (660) 582-5217

Northeast Area

- **Northeast Regional Office**
1709 Prospect Dr.
Macon, MO 63552-2602
(660) 385-8000
FAX: (660) 385-8090

Northeast Area (continued)

- **Mississippi River Project Office**
Wakonda State Park
Rt 1 Box 242
LaGrange, MO 63448
(573) 655-4178
FAX: (573) 655-8852

St. Louis Area

- **St. Louis Regional Office**
7545 S. Lindbergh, Ste 210
St. Louis, MO 63125
(314) 416-2960
FAX: (314) 416-2970
- **Franklin County Satellite Office**
Meramec State Park
Hwy 185 S.
Sullivan, MO 63080
(573) 860-4308
FAX: (573) 468-5051
- **Hazardous Waste Field Office**
917 N. Hwy 67, Ste. 104
Florissant, MO 63031
(314) 877-3250 or 3251
FAX: (314) 877-3254
- **Jefferson County Satellite Office**
Eastern District Parks Office
Hwy 61
Festus, MO 63028
(636) 931-5200
FAX: (636) 931-5204

St. Louis Area (continued)

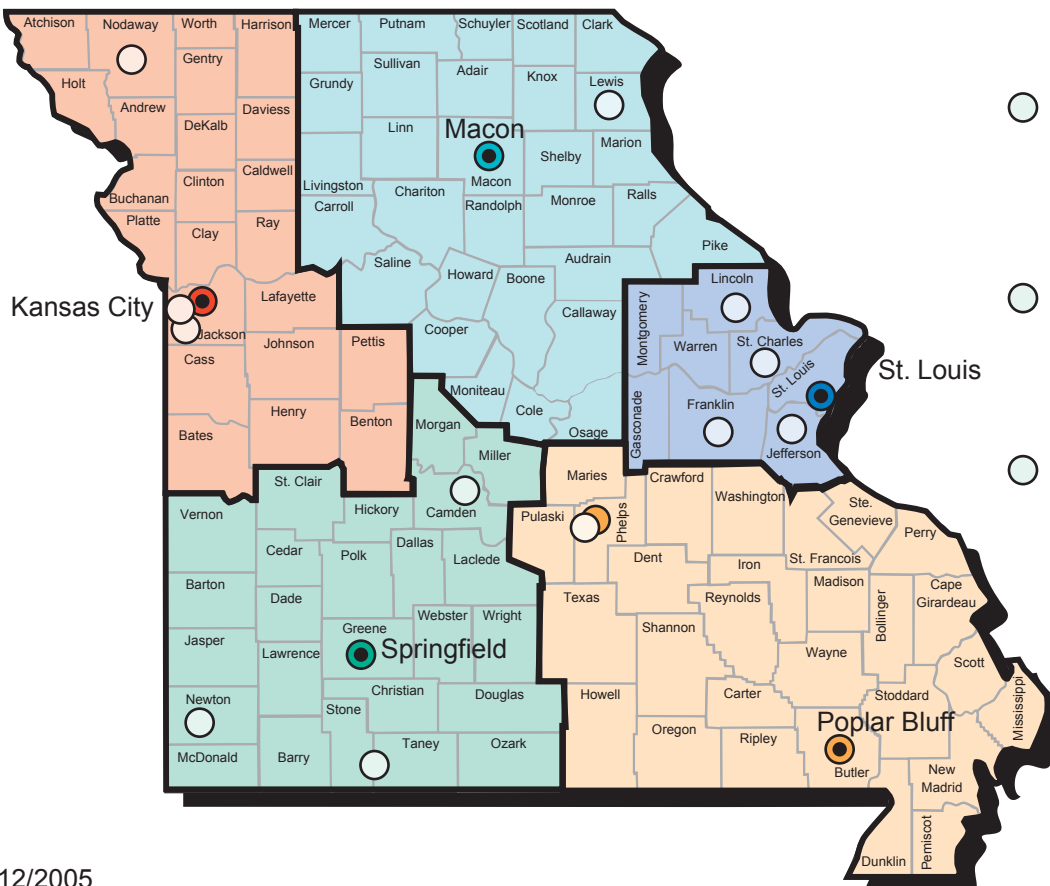
- **Lincoln County Satellite Office**
Cuivre River State Park
678 State Rt. 147
Troy, MO 63379
(636) 528-4779
FAX: (636) 528-5817

Southeast Area

- **Southeast Regional Office**
2155 North Westwood Boulevard
Poplar Bluff, MO 63901
(573) 840-9750
FAX: (573) 840-9754
- **Division of Geology and Land Survey**
111 Fairgrounds Rd.
P.O. Box 250
Rolla, MO 65402
(573) 368-2100
FAX: (573) 368-2111
- **Rolla Satellite Office**
111 Fairgrounds Rd.
Rolla, MO 65402
(573) 368-3185
FAX: (573) 368-3912

Southwest Area

- **Southwest Regional Office**
2040 W. Woodland
Springfield, MO 65807-5912
(417) 891-4300
FAX: (417) 891-4399
- **Lake of the Ozarks Satellite Office**
Camden County, 5568 A Hwy 54
Osage Beach, MO 65065
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Springfield, MO 65807-5912
(573) 348-2442
Fax: (573) 348-2568
- **Neosho / Joplin Area Satellite Office**
1900 S. 71 Highway
Neosho, MO 64850
(417) 455-5155
FAX: (417) 455-5157
Mailing address: 2040 W. Woodland
Springfield, MO 65807-5912
- **Taney / Stone County Satellite Office**
Table Rock State Park
5272 State Hwy 165
Branson, MO 65616
(417) 337-9732



For more information on the department, visit www.dnr.mo.gov
call 1-800-361-4827
or write to
P.O. Box 176
Jefferson City, MO 65102-0176.



MISSOURI DEPARTMENT OF NATURAL RESOURCES

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